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National Report submitted in accordance with paragraph 15 (a) of the annex to Human Rights Council resolution 5/1*

United Arab Emirates

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Contents

		Page
I.	Introduction	3
II.	Methodology for following up on the review and process for preparing the report	3
	A. Methodology for follow-up on the review	3
	B. Report preparation and consultation process	3
III.	Developments in the normative and institutional framework for the promotion and protection of human rights	4
	A. National legislation and regulations	4
	B. Draft legislation and regulations	4
	C. Developments with regard to governmental bodies and official human rights institutions	4
	D. National mechanisms for the promotion and protection of human rights	6
	E. Public welfare associations and institutions	6
	F. National policies and strategies	6
IV.	Regional and international human rights commitments of the United Arab Emirates	8
	A. Reports submitted by the United Arab Emirates under human rights conventions	8
	B. Regional human rights mechanisms and declarations	8
	C. The United Arab Emirates and special measures in the framework of the Human Rights Council	8
V.	Follow-up action on voluntary pledges and the recommendations accepted in the second session of the universal periodic review (2013)	9
	A. Voluntary pledges relating to the candidature of the United Arab Emirates for membership of the Human Rights Council for the period 2016–2018	9
	B. Implementation of accepted recommendations	10
VI.	State efforts to promote and protect human rights	14
	A. Promotion of political participation	14
	B. Women's empowerment	15
	C. Combating human trafficking	16
	D. Contract workers	16
VII.	Achievements and best practices	19
	A. Achievements	19
	B. Best practices	21
VIII.	Capacity-building	23
IX.	Challenges and priorities	25
X.	Voluntary pledges	25
XI.	Conclusion	26

I. Introduction

1. The second national report of the United Arab Emirates was considered by the Human Rights Council on 28 January 2013 and the outcome of the universal periodic review on the United Arab Emirates was adopted on 7 June of the same year. The United Arab Emirates accepted 100 recommendations of the Council in full, partially accepted 7 recommendations, took note of 54 recommendations and rejected a number of recommendations on grounds that they were incompatible with the country's value system and legislation. The United Arab Emirates also made a number of voluntary pledges in the context of its candidature for re-election to the Human Rights Council in 2015.

2. The State considers its second report to be an adjunct to the plan of action that it initiated following the adoption of the first report and is determined to move forward with its efforts to add to the outstanding achievements that it has scored in promoting and protecting human rights and to contribute to and engage positively in international activities in this domain.

3. In keeping with the State's commitment to acting on the outcome of the universal periodic review of its second report and with Human Rights Council resolution 19/17, this report outlines the State's efforts to follow up on the review and draws attention to the measures that the State has consistently taken to promote and protect human rights.

II. Methodology for following up on the review and process for preparing the report

A. Methodology for follow-up on the review

4. Since the adoption of the second report, the Government has striven to follow up on the outcome of the review. To that end, it has strengthened the standing committee established by Cabinet Decision No. 51/4/2 of 21 March 2010 with a view to following up on the universal periodic review report. The committee, whose membership is drawn from a number of governmental and local authorities and from civil society institutions, monitors the implementation of Human Rights Council recommendations and conducts its work in accordance with a national plan adopted with a view to monitoring the fulfilment of the Government's commitments in connection with the universal periodic review process.

B. Report preparation and consultation process

5. The committee took a series of steps to prepare the report in the framework of a consultative process. It organized a series of periodic meetings, as well as several workshops and meetings with a wide range of civil society organizations and governmental bodies to discuss their proposals as to the best means to follow up on the outcome of the review and on the preparation of the third report.[1]

6. In preparing the report, the committee took into consideration the guidance note drafted in 2016 by the Office of the High Commissioner for Human Rights (OHCHR), in accordance with Human Rights Council resolution 16/21, which called for the third cycle of the review to focus on the implementation of accepted recommendations and on developments relating to the human rights situation in the State.

[1] عقد آخر لقاء تشاوري مع المجتمع المدني بشأن تقرير دولة الإمارات الثالث للاستعراض الدوري الشامل بتاريخ 2017/10/12

III. Developments in the normative and institutional framework for the promotion and protection of human rights

A. National legislation and regulations

- Federal Contagious Diseases Act No. 14 of 2014;
- Federal Decree-Law No. 2 of 2015 on combating discrimination and hatred;
- Federal Act No. 1 of 2015 amending certain provisions of the Federal Anti-Human Trafficking Act No. 51 of 2006;
- Federal Rights of the Child Act No. 3 of 2016 (the "Wadeema" Act);
- Federal Decree Law No. 7 of 2016 amending certain provisions of the Criminal Code (Federal Judiciary Act No. 3 of 1987);
- Federal Decree Law No. 11 of 2016 amending certain provisions of the Federal Judiciary Act No. 3 of 1987;
- Federal Decree Law No. 12 of 2016 amending certain provisions of the Federal Supreme Court Act No. 10 of 1973;
- Federal Decree Law No. 8 of 2016 on accession to the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography;
- Federal Act No. 21 of 2016 amending certain provisions of the General Authority for Pensions and Social Security Act No. 6 of 1999;
- Federal Decree Law No. 15 of 2016 establishing the Emirates Schools Establishment;
- Federal Decree Law No. 16 of 2016 establishing the Emirates Institute for Healthcare Services;
- Federal Act No. 17 of 2016 establishing centres for mediation and conciliation in civil and commercial disputes;
- Federal Act No. 5 of 2017 on the remote use of communications technology in criminal proceedings;
- Federal Act No. 15 of 2017 on domestic service.

B. Draft legislation and regulations

- Draft federal act on domestic violence;
- Draft federal act on juvenile delinquents;
- Draft act on the establishment of the independent national human rights commission.

C. Developments with regard to governmental bodies and official human rights institutions

Federal National Council

The Human Rights Committee, which was established in March 2013 as a standing committee of the Federal National Council, considers relevant bilateral, regional and international conventions relating to human rights, and also raises awareness of human rights and facilitates the dissemination of a human rights culture through its engagement with relevant educational and media authorities and institutions.

Ministry of Justice

- The Judicial Inspection Department monitors the judiciary to ensure that justice is administered effectively. It also responds to queries submitted to it by all parties, including workers, and engages with them using various communications platforms to explain the procedures that must be followed to enable the competent judicial authorities to uphold their rights.
- The Department of Legal Advice and Legislation plays a prominent role in reviewing the drafting of legislation and national laws, taking into account the need to protect and promote human rights in accordance with the international conventions and protocols ratified by the State.

Ministry of the Interior

- The Ministry of the Interior has established numerous units and committees concerned with the protection and promotion of human rights. These include the Human Rights Department within the Office of the Inspector General, the Public Authority for Community Protection and Crime Prevention, which oversees a number of departments, including the Juvenile Welfare Department, the Ministry of the Interior Centre for the Rehabilitation and Employment of Persons with Disabilities, the Office to Promote a Culture of Respect for the Law, the Federal Community Policing Department, the Federal Social Assistance Department, and the Ministry of the Interior Federal Centre for Child Protection. The Ministry has also established human trafficking units within police command departments, and the Directorate General of Human Rights of the Dubai Police, which, inter alia, runs a human trafficking monitoring centre. The Ministry has, moreover, also established numerous committees, including the High Committee for the Protection of the Child, the Ministry of the Interior Human Rights Committee, the Legal Council, the Police Disciplinary Board, the Women's Police Coordinating Committee, the Happiness and Positiveness Committee, and the Penal Institution and Police Station Detention Facility Inspections Committee.
- The Ministry has established complaint and notification mechanisms, and has set up dedicated email addresses and toll-free phone numbers that members of society can use to submit information and complaints in a number of languages. The Ministry has also established websites and uses social media platforms to provide social support.
- Social support centres in police command departments deal with domestic violence cases in which the filing of an official complaint is deemed unnecessary. They also deal with cases involving school violence, cases in which a child has run away from home but the child's disappearance has not been reported to the police, and with minor acts of juvenile delinquency that do not constitute criminal offences.

Ministry of Human Resources and Emiratization

- The Human Trafficking Offences Department monitors the labour market and follows up on the inspectors' reports and complaints by workers to identify potential cases of forced labour or human trafficking. It also carries out inspections of recruitment offices and coordinates with the country's law enforcement agencies and other relevant authorities to combat improper worker recruitment procedures.
- Labour welfare units provide welfare assistance to workers and endeavour to make them aware of their rights. Furthermore, the mobile labour welfare unit is constantly striving to communicate with workers at their lodgings and places of work with a view to raising their awareness of their rights and duties under the Labour Code, as well as receiving, responding to and resolving their enquiries and complaints.

Community Development Authority in Dubai

- The Child Protection Unit was established in 2014 to provide social and psychological support to children, including, in particular, children who have been

subjected to various types of abuse, and to help children overcome the difficulties they encounter.

Dubai Police General Headquarters

- The Human Trafficking Monitoring Centre: monitors human trafficking offences, upholds the rights of victims and takes action to enforce the Anti-Human Trafficking Act. The Centre also collaborates with international organizations working to combat human trafficking.

D. National mechanisms for the promotion and protection of human rights

- The United Arab Emirates Gender Balance Council was established in 2015 to reduce gender disparities and achieve gender balance in the public and private sectors, particularly in decision-making positions.
- The Supreme Council for Motherhood and Childhood provides support and assistance to mothers and children, especially in the educational, cultural, health, social, psychological and pedagogical fields. A strategic partner of the United Nations Children's Fund (UNICEF), the Supreme Council played a key role in the formulation of the National Strategy for Motherhood and Childhood for the period 2017–2021.
- The National Committee to Combat Human Trafficking was established pursuant to Federal Act No. 51 of 2006. The Committee is the focal point for Government efforts to combat human trafficking and update legislation on related matters with a view to the provision of the requisite protection. It includes representatives of federal and local governmental bodies and civil society institutions that deal with human trafficking issues.
- The National Committee on International Humanitarian Law disseminates and consolidates awareness among institutions and individuals of international humanitarian law principles and objectives. The Committee also shares its expertise with associations and organizations active in the field of international humanitarian law, and facilitates the implementation of international humanitarian legal instruments by promoting collaboration among relevant authorities, reviewing relevant legislation and making any necessary recommendations in that regard.

E. Public welfare associations and institutions

7. Public welfare associations and institutions play a pivotal role in encouraging civil action, disseminating a participatory culture and upholding the principle that individuals have a social responsibility within the State. At the end of 2016, there were 166 welfare associations, 14 civil society institutions and 17 social solidarity funds. These included 8 women's associations, 32 professional associations, 48 associations providing public and cultural services, 21 women's associations and 15 community-based associations and clubs.

F. National policies and strategies

8. The State has established a set of interrelated national policies and strategies[2] to promote and ensure the enjoyment of fundamental human rights and freedoms, consisting of the following:

[2] قامت حكومة دولة الإمارات العربية المتحدة بإعداد عدة استراتيجيات وخطط، وذلك تطبيقا لأفضل الممارسات العالمية في مجال التخطيط الاستراتيجي، وللاطلاع على مزيد من المعلومات حول هذه الاستراتيجيات يرجى زيارة الموقع الالكتروني https://government.ae.

- The National Agenda, which is being implemented over seven years, was launched by the State with a view to achieving the country's National Vision 2021. The Vision establishes six national priority objectives for the Government for the coming years. These include: a cohesive society that preserves its identity, a safe society and a fair judiciary, a competitive knowledge-based economy, a first-rate education system, and a sustainable environment and integrated infrastructure.

- The National Committee to Combat Human Trafficking Strategic Plan was formulated on the basis of five internationally-recognized pillars, namely: prevention and prohibition, prosecution, punishment, the protection of victims and the promotion of international cooperation.

- The National Strategy for the Empowerment and Advancement of Emirati Women (2015–2021) promotes women's empowerment and capacity-building, addresses impediments hindering the participation of women in all fields, strengthens women's participation in development initiatives and enhances the status of Emirati women in regional and international forums.

- The Cabinet adopted the National Strategy for Motherhood and Childhood and the Strategic Plan for the Promotion of the Rights of Children with Disabilities for the period 2017–2021 with the aim of consolidating and coordinating efforts in the United Arab Emirates to protect and provide welfare services to children, including children with disabilities, safeguard their rights, and promote their active participation in society on an equal footing with other groups.

- The Ministry of Culture and Knowledge Development launched the National Strategy for Youth Empowerment with a view to drawing up policies, measures and action plans to empower young people and provide them with opportunities to contribute actively to society at all levels. The Strategy addresses all issues of concern to young people, including education, training, employment, volunteering, the use of technology and community development.

- The National Innovation Strategy was launched in 2014 with the aim of making the United Arab Emirates among the most innovative countries worldwide within seven years. The Strategy aims to foster innovation in seven key national sectors, namely: renewable energy, transport, health, education technology, water and outer space. The Strategy will also support national policies to promote sustainable development.

- The National Tolerance Programme was adopted by the Cabinet in 2016 with a view to entrenching the values of tolerance and multiculturalism, promoting a culture of coexistence, and rejecting all forms of discrimination, hatred and intolerance.

- The United Arab Emirates Foreign Aid Strategy: As part of the country's efforts to facilitate the achievement of Vision 2021 through the provision of foreign aid, the Ministry of Foreign Affairs and International Cooperation launched the country's Foreign Aid Strategy for the years 2017–2021. The primary objective of the country's foreign aid is to improve the lives of poor communities, alleviate poverty and promote stability, peace and prosperity worldwide.

- The Ministry of Education has adopted a Strategic Plan for the period 2017–2021 with a view to establishing and overseeing an innovative education system for all age groups that can help create a world-class knowledge-based society and meet future labour market needs. The Strategic Plan aims to ensure that the Ministry implements high quality initiatives and provides high quality assistance to internal and external stakeholders.

- The Government of the United Arab Emirates launched the National Policy for the Empowerment of Persons with Disabilities in 2017 with a view to empowering and promoting equal opportunity for persons with disabilities and encouraging their active participation in society.

IV. Regional and international human rights commitments of the United Arab Emirates

A. Reports submitted by the United Arab Emirates under human rights conventions

9. In line with its obligations under the human rights conventions to which it is a party, and its commitments to submit periodic reports and report on the implementation of recommendations issued by relevant treaty body committees, the United Arab Emirates:

- Submitted its second periodic report on its implementation of the Convention on the Rights of the Child for consideration by the Committee on the Rights of the Child in September 2015;
- Submitted its second periodic report on its implementation of the Convention on the Elimination of All Forms of Discrimination against Women for consideration by the relevant committee in November 2015;
- Submitted its second periodic report on its implementation of the Convention on the Rights of Persons with Disabilities for consideration by the relevant committee in August 2016;
- Submitted its second periodic report on its implementation of the International Convention on the Elimination of All Forms of Racial Discrimination for consideration by the relevant committee in August 2017;
- Will submit its initial periodic report on its implementation of the Convention against Torture for consideration by the relevant committee before the end of the current year.

B. Regional human rights mechanisms and declarations

10. In December 2014, Gulf Cooperation Council member States issued the Gulf Cooperation Council Human Rights Declaration, which affirmed the right of all individuals to life and underscored that all individuals are equal in human dignity and in terms of their rights and freedoms. The Declaration enshrines a commitment by Gulf Cooperation Council member States to uphold and comply with the Charter of the United Nations and the Universal Declaration of Human Rights.

11. The United Arab Emirates is a party to the League of Arab States Arab Charter on Human Rights. The initial report of the United Arab Emirates was submitted for consideration by the Arab Human Rights Committee in December 2013.

C. The United Arab Emirates and special measures in the framework of the Human Rights Council

12. With a view to strengthening its cooperation with the special procedures of the Human Rights Council, the United Arab Emirates has taken the following steps:

- Hosting the Special Rapporteur on the independence of judges and lawyers, who visited the country between 28 January and 5 February 2014;
- Establishing a committee to respond to communications regarding human rights. The committee, which comprises representatives of a number of State authorities, coordinates and expedites responses to communications submitted to it by special procedures and other United Nations bodies and mechanisms concerned with human rights within the established time frame.

V. Follow-up action on voluntary pledges and the recommendations accepted in the second session of the universal periodic review (2013)

A. Voluntary pledges relating to the candidature of the United Arab Emirates for membership of the Human Rights Council for the period 2016–2018

Adoption of the Rights of the Child Act

13. The Federal Rights of the Child Act No. 3 of 2016 (the "Wadeema" Act) sets forth the fundamental rights of children, including the right to life, survival and development, provides for the necessary conditions to facilitate the enjoyment of those rights. The Act also offers safeguards to protect children from all forms of neglect, exploitation and ill-treatment, as well as all forms of physical violence and psychological abuse.

14. In coordination with its Ministries and national institutions, and on the basis of its engagement with civil society associations and representatives, the United Arab Emirates has taken appropriate measures and strengthened its national legislation with a view to enhancing and ensuring respect for the rights of persons with disabilities.

15. In April 2017, the State launched the National Policy for the Empowerment of Persons with Disabilities. The Policy provides for the following:

(a) The designation of persons with disabilities as stakeholders in recognition of their significant efforts and achievements and their capacity to overcome all challenges;

(b) The designation in all service-providing institutions of an "officer for the provision of services to stakeholders" who is responsible for facilitating the provision of dedicated services to persons with disabilities;

(c) The establishment of the Stakeholder Advisory Board, comprising federal and local Government institutions and individual members of society. The Board provides guidance with a view to developing services and identifying solutions to the challenges impeding the integration of persons with disabilities into society.

16. Further measures have been taken to enhance protections for workers, including through engagement with workers' countries of origin, the International Labour Organization and the Global Forum on Migration and Development, with a view to addressing the issue of recruitment fees, promoting the use of standard employment contracts, granting workers greater scope to work for a different employer, and enforcing implementation of the decree prohibiting the seizure of passports.

17. In May 2016 the Ministry of Human Resources and Emiratization launched the Innovation in Labour Market Governance Programme, which has three key axes, namely to develop labour market information and statistical systems, to develop labour and occupational health and safety inspection systems and policies, and to develop regulations and mechanisms to prevent and resolve individual workers' labour disputes. The Programme is being implemented as part of the State's efforts to strengthen its relationship with the International Labour Organization and draw lessons from its experience in order to empower the Ministry of Human Resources and Emiratization to implement a paradigm shift in its labour market governance and support the Ministry's efforts to improve market outcomes and uphold workers' rights. The State is also strengthening its efforts at the national level to combat human trafficking, and is also working to that end as a founding member of the Group of Friends United Against Human Trafficking and through its support for the United Nations Global Plan of Action to Combat Trafficking in Persons.

18. The State had contributed $4 million to support the Global Initiative to Fight Human Trafficking, strengthen efforts to combat that crime and raise awareness of the human trafficking with a view to countering the phenomenon at the global level. The State is providing ongoing support to OHCHR and is exploring the possibility of concluding a memorandum of technical cooperation with that Office.

19. The United Arab Emirates continues to provide support on an annual basis to a number of OHCHR funds with a view to facilitating implementation of OHCHR programmes. The State is currently exploring the possibility of signing a memorandum of technical cooperation with the Office with a view to promoting training and capacity-building in the area of human rights. That memorandum is likely to be concluded in the near future. The United Arab Emirates will continue to support UN-Women, including by funding the opening of a liaison office for UN-Women in the United Arab Emirates.

20. In July 2016, a Headquarters Agreement was signed between the United Arab Emirates and UN-women to mark the opening in Abu Dhabi of the UN-Women liaison office for Gulf Cooperation Council member States. The office was formally opened in October 2016, and the United Arab Emirates General Women's Union provided the necessary financial and other support for the opening. The liaison office provides policy guidance as well as technical assistance to Gulf institutions with a view to supporting their initiatives in various fields related to women's empowerment.

21. The United Arab Emirates will continue to work with partner countries and international organizations to meet international development targets through its foreign aid programme, in areas such as health, education, food security and economic and social development.

22. In 2016, the United Arab Emirates provided some 15.23 billion dirhams in official development assistance, equivalent to 1.12 per cent of the country's gross national income (GNI). More than 54 per cent of that assistance was provided in the form of grants. As a proportion of GNI, the United Arab Emirates remains one of the largest international donors in terms of its provision of official development assistance and was ranked first globally in that regard in 2016 by the Development Assistance Committee of the Organization for Economic Cooperation and Development.

B. Implementation of accepted recommendations[3]

1. Multidisciplinary or comprehensive recommendations

23. These include recommendations on equality, non-discrimination, the right to development, environmental issues, human rights and combating terrorism:

- Federal Decree-Law No. 2 of 2015 on combating discrimination and hatred has been adopted. The Decree-Law's 21 articles address hatred, racism and extremism on the basis of religion, origin, race or colour, as well as the penalties imposed for perpetrating those offences;
    - The United Arab Emirates has made every effort to establish the foundations of social cohesion, one of the most important of which is the guarantee of religious freedom enshrined in Article 32 of the Constitution. The Government has facilitated the establishment of places of worship for many religions and sects and granted them land free of charge for the construction of houses of worship. There are dozens of churches and Hindu temples in the country, and Christians and members of other faiths resident in the country enjoy full freedom to practise religious rites and rituals in an atmosphere of tolerance, coexistence and freedom of worship;
    - The Shams 1 power plant, which complies with the clean development mechanism (CDM), was inaugurated on 8 September 2008. The plant is the first high-density solar power plant established in line with the CDM, and is expected to displace 175 thousand tons of carbon dioxide gas per year, which is equivalent to planting 105 million trees or removing 20 thousand cars from the roads;

[3] تم اعداد ملحق يتضمن تفاصيل التدابير المتخذة من أجل تنفيذ التوصيات المقبولة والواردة في وثيقة الفريق العامل المعني بالاستعراض الدوري الشامل رقم A/HRC/23/13/Add.1.

- Masdar City, which has established a sustainable residential complex that employs renewable clean energy, carbon management and water conservation, focuses on technology production;
- The Ministry of the Interior and a number of State actors have participated in numerous meetings and conferences on the fight against terrorism while also ensuring respect for human rights. Fifteen regional and international conventions and more than 20 bilateral agreements have been signed between the State and other countries with a view to combating terrorism while upholding human rights.

2. Civil and Political Rights

24. These include recommendations on the death penalty, the prohibition of torture and of cruel, inhuman or degrading treatment, the prohibition of slavery and human trafficking, freedom of opinion and expression, the administration of justice, the rule of law, freedom of association and the rights of human rights defenders:

- Article 26 of the Constitution provides that: "No one shall be subjected to torture or degrading treatment." Under Federal Act No. 9 of 1976, concerning juvenile delinquents and vagrants, "capital punishment, imprisonment and financial penalties may not be imposed for offences committed by persons below eighteen years of age". The legislative authorities have also sought to establish appropriate alternatives to punishment for juveniles, so as to balance punishment with the desire to rehabilitate juveniles and guide them towards a return to normal life. Federal Act No. 9 of 1976 also prohibits bringing a criminal action against a juvenile (child) below the age of 7, and it entitles a judge to adopt measures in lieu of established penalties as he sees fit.
- The laws of the United Arab Emirates uphold the fundamental human rights principles enshrined in international conventions. The State strives to provide adequate guarantees to ensure respect for those principles, which are, moreover, taken into account in all legal proceedings. The Constitution and the country's criminal laws prohibit all extrajudicial penalties. Penalties may only be imposed on the basis of a fair trial;
- United Arab Emirates law guarantees respect for the internationally-recognized rights of those facing the death penalty, as prescribed by Economic and Social Council resolution No. 1984/50. Those rights are guaranteed pursuant to the Constitution, the Code of Criminal Procedures No. 35 of 1992 and the amendments thereto, the Federal Criminal Code (Federal Judiciary Act) No. 3 of 1987 and Federal Act No. 9 of 1976, concerning juvenile delinquents and vagrants;
- The death penalty is handed down within the narrowest of limits for extremely serious crimes or crimes that result in the deaths of other persons, and only on the basis of a fair trial before a judicial body in which a lawyer is present to defend the accused. If a death sentence is handed down, an appeal and a cassation appeal against that sentence must be brought before the Supreme Court. A death sentence may not be carried out before all means of appeal have been exhausted and a request for amnesty or mercy has been made.
- Federal Decree Law No. 12 of 2016 amending certain provisions of the Federal Supreme Court Act No. 10 of 1973 amends section 8 of article 33 of that Act, thereby empowering the Court to consider cases involving offences that directly affect the interests of the State, including crimes that directly harm the interests of the Federation, such as offences against internal or external security, the forging of official documents and the seals of any federal authority and counterfeiting, and to hear challenges to the verdicts handed down in that regard by courts of appeal; this provides further protections for accused persons and allows for additional appeals to be lodged against sentences handed down against them.
- The Ministry of the Interior has established regulatory units to monitor and safeguard those rights, protect victims from abuse, and prevent professional

misconduct or abuse of authority. It has also established toll-free telephone numbers by which it can receive complaints and communications. The Ministry has, moreover, issued Ministerial Decision No. 109 of 1989 concerning violations of codes of conduct and related penalties. Pursuant to Ministerial Decision No. 654 of 2005, a police code of conduct and ethics was issued for personnel of the Ministry of the Interior. A policy on the use of force in the Ministry of the Interior has also been adopted;

- Steps are now being taken to amend Federal Act No. 15 of 1980 on publications and publishing so as to uphold a set of principles on freedom of opinion that are compatible with the Constitution of the State and international human rights principles;
- Articles 26 and 27 of the Constitution, which are contained in Part Three on freedoms, rights and duties, enshrine individuals' right to freedom and stipulate that personal freedom is guaranteed to all. Article 30 provides that freedom of expression and opinion is guaranteed to all;
- Article 8 of the Constitution affirms that "Citizens of the Federation shall have one nationality, which shall be determined by law and shall be protected abroad by the Federal Government in accordance with established international principles. The nationality of the citizen may not be revoked or withdrawn except in exceptional cases as provided by law." Article 37 of the Constitution stipulates that "Citizens shall not be expelled or exiled from the Federation";
- Federal Act No. 1 of 2015 amending certain provisions of the Federal Anti-Human Trafficking Act No. 51 of 2006 provides provisions to deter the perpetration of the trafficking offences it sets forth, and establishes procedures for the protection of victims;
- In 2009, the United Arab Emirates acceded to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (the Palermo Protocol). It is also a founding member of the Group of Friends United Against Human Trafficking, which was established in September 2010 on the margins of the sixty-fifth session of the General Assembly;
- The National Committee to Combat Human Trafficking has signed memorandums of understanding to prevent and combat that crime with Armenia, Australia, Azerbaijan, Indonesia and, most recently, India;
- The State has launched a number of initiatives to establish how officials should deal with victims when enforcing the law, expand assistance and welfare programmes for victims, provide guidance and rehabilitation services and ensure that those responsible for human trafficking offences are punished. The Government provides shelters and psychological support for trafficking victims and collaborates with other governments and non-governmental organizations when responding to reports of trafficking cases. Shelter and protection are provided to victims while their papers and documents are prepared. Victims are returned free of charge by the State to their countries of origin on the basis of their consent under the terms of the country's victim assistance programme;
- In 2013, the National Committee to Combat Human Trafficking established a non-governmental fund to support victims of human trafficking. The fund, which provides an example of effective cooperation between the public and private sectors and citizens and residents of the State, provides housing and education services to victims, covers their medical expenses and prepares them for their return to their countries of origin.

3. Economic, Social and Cultural Rights

25. The recommendations on economic, social and cultural rights include recommendations regarding general measures of implementation, as well as the right to just and favourable conditions of work, the right to health, the right to education, and the rights of workers.

- The State has continued to take the necessary legislative and procedural measures to protect workers by implementing policies and strategies that promote labour rights, including but not limited to the introduction of a wage protection system for foreign workers in 2009. The State has also adopted a policy of transparency with regard to work contracts and had developed standard work contracts that draw on all legal provisions regulating worker-employer relations. Ministerial work permit procedures have been updated: an employer is now required to send a work offer to the worker for his or her review and signature. The Ministry of Human Resources and Emiratization must then certify the offer before permission can be granted to the employer to proceed.

- The State has established an office in the courts to provide legal assistance to workers involved in disputes. Workers' welfare units have also been established in all regions of the country to protect workers and raise their awareness of their rights. There is also a toll-free 24-hour telephone number for workers that they can call to make complaints and enquiries.

- In 2008, the State hosted a conference to discuss cooperation between the United Arab Emirates and workers' countries of origin with a view to safeguarding workers' rights. At the conclusion of the conference, the Abu Dhabi Dialogue consultation mechanism was launched.

- The State has enhanced workers' access to litigation mechanisms by establishing labour departments in many of the country's courts, by giving priority consideration to labour dispute cases and by exempting those cases from certain fees.

- In 2014, the General Women's Union launched the Domestic Worker Initiative. The initiative, which comprises legal, social and media outreach themes, was implemented by women's councils, through interactive meetings with relevant institutions and by using social media platforms.

- The 41 articles of Federal Act No. 15 of 2017 on domestic service provide definitions of terms used and address the scope of the law, recruitment offices, the hiring of workers, work contracts, the organization of employment, vacations, employer and worker obligations, inspections, penalties, end-of-service and end-of-contract indemnities and the resolution of disputes.

4. The rights of specific persons or groups

26. These include recommendations on the advancement of women, the rights of children and the rights of persons with disabilities.

- The State has continued to strengthen its efforts towards the empowerment of women, gender equality and the elimination of discrimination against women, and has continued its efforts to protect the rights of the child. Its most important initiatives in that regard include the following:

- The launching of the National Strategy for the Empowerment and Advancement of Emirati Women (2015–2021). The Strategy provides a general reference and guiding framework for all governmental institutions at the federal and local levels, as well as for private and civil society institutions to facilitate their development of plans and programmes to ensure that women enjoy decent lives and can participate fully in the sustainable development process.

- The issuing on 9 December 2014 of a Cabinet decision that mandates the inclusion of women on the governing boards of all Government bodies, institutions and companies.

- There were 9 female members of the Federal National Council during its 16th legislative session, constituting 22.5 per cent of the Council's total membership of 40 members.

- Emirati women comprise 43 per cent of the workforce and hold 66 per cent of governmental sector positions, including 30 per cent of senior decision-making posts. They also hold 15 per cent of professional posts.

- In March 2017, the Cabinet adopted the National Strategy for Motherhood and Childhood and the Strategic Plan for the Promotion of the Rights of Children with Disabilities for the period 2017–2021 with the aim of consolidating and coordinating efforts in the United Arab Emirates to protect and provide welfare services to children, including children with disabilities, safeguard their rights, and promote their active participation in society on an equal footing with other groups. The implementation of the two strategies will be overseen by a number of stakeholders in coordination with the Supreme Council for Motherhood and Childhood. A national task force comprising all relevant parties will also be established to formulate action plans and coordinate steps with a view to facilitating implementation of the strategies.

5. Enhancing the engagement of the United Arab Emirates with United Nations human rights bodies and mechanisms

27. During the period 2015–2017, the State submitted a number of periodic reports due in accordance with the treaty body process, including reports on the rights of the child, the elimination of all forms of discrimination against women, the rights of persons with disabilities and the elimination of all forms of racial discrimination. The United Arab Emirates also hosted the Special Rapporteur on the independence of judges and lawyers in 2014 under the special procedures system.

28. In 2016, the United Arab Emirates provided $10,000 to UNICEF, $50,000 to OHCHR, $40,000 to the United Nations Environment Programme, $40,000 to the United Nations Fund for South-South Cooperation, $30,000 to a United Nations fund on crime prevention and criminal justice $10,000 to support United Nations drug control programmes and $30,000 to the United Nations Voluntary Trust Fund on Contemporary Forms of Slavery, $10,000 dollars for the United Nations Voluntary Fund on Disability, $10,000 to the United Nations Voluntary Fund for Victims of Torture and $4 million in support of the Global Initiative to Fight Human Trafficking.

6. Accession to international human rights conventions and protocols

29. The State ratified the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography in 2015.

7. Establishment of the independent national human rights commission on the basis of the Paris Principles

30. The State Periodic Review Committee conducted field visits to learn about the experiences of some States that have established national human rights institutions on the basis of the principles relating to the status of national institutions. The United Arab Emirates has made significant progress towards the establishment of the national human rights commission and is currently conducting a third review of the draft law on its establishment, which the State intends to promulgate in the near future.

VI. State efforts to promote and protect human rights

A. Promotion of political participation

31. In 2015, the State launched the Political Empowerment Programme to empower Emirati nationals in the workplace and enable them to contribute to the development process. Political participation is promoted through elections to the Federal National Council and the establishment of its mandate. The third set of elections to the Federal National Council,[6] held in 2015, constituted one of the most important stages in the Political Empowerment Programme. Those elections were considered to be more important

[6] [illegible] 2015 [illegible] www.mofaic.gov.ae

than the previous elections in 2011, as they widened the scope of citizens' political participation. A total of 224,281 individuals took part in the election, equivalent to an increase of 66 per cent compared with 2011, and women and men participated on an equal footing, in line with the commitments of the United Arab Emirates pursuant to international declarations on political rights and the rights of women. Women's participation rates in the 2015 election were high, with national participation rates of 92 per cent for men and 48 per cent for women. A total of 130 candidates stood for election, comprising 265 men and 74 women; women's participation rates in the elections were therefore particularly noteworthy. For the first time, voting also took place in 5 State diplomatic missions abroad. The 2015 vote resulted in the election of the first woman to head the Federal National Council in the country's history; she is also the first woman to head a parliamentary institution in the Arab world.

II. Women's empowerment

12. The Constitution of the United Arab Emirates stipulates that women and men enjoy the same rights. It also affirms the principles of equality and social justice and the full right of women to education and employment on an equal footing with men. There were significant improvements in the situation of women between 2013 and 2017, including the following:

- The promulgation on 9 December 2018 of a Cabinet decision mandating the inclusion of women on the governing boards of all Government bodies, institutions and companies;
- The inclusion of 8 female ministers in the 29-member Cabinet in 2016. This figure is one of the highest in the world, and reflects the progress achieved by women in the United Arab Emirates. The most important feature of the new Government is its structure, which includes recently-established ministries, some of which have no counterparts anywhere in the world. The most important of these ministries are the Ministries of Tolerance and Happiness, which are both headed by Emirati women and reflect the significant developments and remarkable progress achieved by the State in the fields of happiness and tolerance. Indeed, as a result of the country's wise leadership, the Emirati people is among the happiest peoples on earth;
- There were 9 female members of the Federal National Council during the 16th legislative session, constituting 22.5 per cent of the Council's total membership of 40 members;
- Emirati women comprise 43 per cent of the workforce and hold 66 per cent of governmental sector positions, including 30 per cent of senior decision-making posts. They also hold 15 per cent of professional posts;
- Women now work as prosecutors and judges within the judiciary and the Office of the Public Prosecutor. There are also increasing numbers of women in the police and the military;
- Women currently comprise 30 per cent of the diplomatic corps at the Ministry of Foreign Affairs and International Cooperation, and, in total, there were 234 female staff members in the country's diplomatic and consular corps in 2017. These included a number of ambassadors representing the United Arab Emirates abroad.
- Women constitute 71.6 per cent of the students at government universities and 50.1 per cent of the students in private universities and colleges. These figures are among the highest in the world;
- Women's participation in economic activity and the labour market has increased steadily since the establishment of the Emirates Businesswomen Council. There are approximately 22,000 businesswomen registered with the country's chambers of commerce and industry; these businesswomen are active in both domestic and international markets and oversee investments of more than 42 billion dirhams.

C. Combating human trafficking

33. The United Arab Emirates considers human trafficking a crime against humanity and affirms its commitment to addressing all human trafficking offences in cooperation with the international community. In that context, the United Arab Emirates promulgated Federal Act No. 1 of 2015 amending certain provisions of the Federal Anti-Human Trafficking Act No. 51 of 2006, which enhances protections for victims and increases penalties for the perpetrators of trafficking offences, in line with the Palermo Protocol. Since its establishment in 2008, the National Committee to Combat Human Trafficking has played a prominent and effective role in addressing the offence of human trafficking — a crime that undermines human dignity — by convening regular meetings of its members, which comprise representatives of relevant government and law enforcement agencies and civil society institutions, with a view to enhancing cooperation between them on human trafficking issues.

34. The National Committee to Combat Human Trafficking Strategic Plan was adopted in 2012 and formulated on the basis of five internationally-endorsed pillars, namely: prevention and prohibition, prosecution, punishment, the protection of victims and the promotion of international cooperation. The Strategic Plan has enabled the United Arab Emirates to make significant progress in recent years, including the following:

- The signing of memorandums of understanding to prevent and combat that crime and enhance protections for human trafficking victims with Armenia, Australia, Azerbaijan, Indonesia and, most recently, India. Steps are currently being taken to conclude similar memorandums of understanding with other States;
- The launching of several awareness campaigns. The most recent of those campaigns took place in 2015 and 2016, and involved the installation of information notice boards at United Arab Emirates airports, the use of audiovisual media, the dissemination of publications in eight languages and the holding of courses and lectures for high-risk groups;
- The participation of personnel working in the field of human trafficking in national and international training courses and workshops. The most important of those courses is held in collaboration with the Dubai Police, the Dubai Judicial Institute and a number of specialists from within the country and abroad, including the subregional representative of the United Nations Office on Drugs and Crime, and awarded the region's first specialized diploma in the field of human trafficking. The five-month diploma course was attended by law enforcement officials and members of relevant government agencies and civil society institutions.

35. To promote transparency, the National Committee to Combat Human Trafficking issues an annual report that provides details of all activities undertaken by the Committee during the year.[4]

D. Contract workers

36. As part of its efforts to protect the rights of contract workers, the United Arab Emirates has developed a strategy and a plan of action aimed at upholding the rights of expatriate workers in the country and improving their working and living conditions. The strategy is based on the following:

- The provision of legal protections through the adoption of legislation, regulations and ministerial decisions, which oblige employers to provide appropriate and safe working terms and conditions for all foreign workers, including, in particular, the obligation to pay fair wages, to pay those wages in a timely fashion and in a manner appropriate for the worker, and to uphold the right of workers to rest periods and

[4] للاطلاع على التقرير الذي اصدرته اللجنة الوطنية لمكافحة جرائم الاتجار بالبشر لعام 2016 والذي يتضمن جهود وانجازات الدولة في هذا الاطار يرجى زيارة الموقع الالكتروني http://www.nccht.gov.ae

paid leave. Employers are, moreover, obliged to provide adequate housing and a safe working environment;

- The following steps are being taken in order to entrench those protections:

1. Promoting contractual transparency

37. The Ministry of Human Resources and Emiratization has adopted a new policy for the recruitment of foreign workers abroad. The policy aims to ensure that contracts are unambiguous and that foreign workers are given the opportunity to accept their proposed working terms and conditions prior to their departure from their home countries. The following steps have been taken to ensure compliance with that policy:

- The introduction of a new standard employment contract that complies with all legislative texts regulating the employment relationship between workers and the employers, as set forth in the Labour Code (Federal Act No. 8 of 1980). The contract is issued in the worker's language and also in Arabic and English in order to ensure that all parties involved in the working relationship, and particularly the worker, understand the terms of the contract and the legal provisions governing that working relationship. The worker is given a copy of the contract in his or her language with a view to ensuring that he or she does not fall victim to any form of deception;
- The adoption of an additional step in the Ministerial work permit application procedure, whereby an employer is required to send a work offer to the worker for his or her review and signature. The Ministry of Human Resources and Emiratization must then certify the offer before permission can be granted to the employer to proceed. The work offer includes all the terms and conditions of employment stipulated in the standard contract and as provided by law. The contract is retrieved from the Ministry records and is signed once again by the worker once he or she is in the country; this becomes the official contract of employment;
- The launching of a computer-based system to check work offers certified by the Ministry against corresponding definitive employment contracts signed by workers upon their arrival in the United Arab Emirates. The Ministry uses the system to ensure that there are no discrepancies between a worker's work offer and his or her employment contract before it issues a work permit. Permits are not issued in cases in which a discrepancy is discovered, unless the discrepancy is to the worker's advantage.

2. Entrenching the principle of work as a choice: protecting the right of workers to exercise free will in their decision to work

38. The State has promulgated a number of legislative instruments that provide legal safeguards for this principle, most notably Ministerial Decision No. 765 of 2015, concerning the terms and for terminating the employment relationship and Ministerial Decision No. 766 of 2015, which allows workers to be granted new work permits in order to transfer from one enterprise to another.

3. Combating the illegal seizure of passports

39. The 2015 Standard Model Work Contract affirms that employers are prohibited by the State from seizing workers' passports, and stipulates that the worker enjoys the right to retain his or her identity documents.

4. With a view to promoting fair and transparent recruitment practices, the United Arab Emirates has taken the following action

40. Adopted Ministerial Decision No. 1205 of 2013, which amended the ministerial decisions regulating the establishment and activities of private employment agencies, empowers the Ministry to tighten its supervision of the activities of worker recruitment and employment agencies, particularly with regard to recruitment fees and expenses and contractual procedure transparency. Pursuant to that Decision, private employment agencies are required to sign written contracts with individual workers and their employers that

clearly stipulate the obligations of each party, including the obligation to cover recruitment fees. They must also provide workers with any necessary documentation so that they can review and sign their draft contracts prior to their departure from their home countries.

5. Implementing a positive incentive policy to reward enterprises committed to protecting the rights of workers under the Labour Relations Regulation Act and relevant Decisions, and increasing the costs of services provided to enterprises who fail to comply with the law

41. In 2014, the Cabinet promulgated Decision No. 40, which sanctions affirmative action through the imposition of low fees for services provided by the Ministry to enterprises in compliance, which are classified as Category 1 enterprises, and the imposition of high fees for services provided to enterprises who fail to uphold the fundamental human rights of workers, as provided in the country's legislation on forced labour.

6. Continuing the campaign to raise workers' awareness their rights and establish direct channels of communication with the Ministry of Human Resources and Emiratization

42. Between 2013 and 2015, the Labour Guidance Department held 1,027 awareness-raising workshops for workers on their rights under the laws in force, ministerial decisions regulating their employment and agreements to which the State was a party, as well as on appropriate mechanisms through which they could submit complaints regarding violations of their rights and the procedures to be followed if they were subjected to inappropriate treatment, and on their duties towards their employers. A total of 892,892 workers took part in those awareness-raising workshops. The Labour Guidance Department also conducted field visits to workers' places of work to distribute information pamphlets on their rights, and to meet workers in person and respond to their enquiries. Between 2013 and 2016, the Department met with 50,698 workers at their places of employment.

43. The Know Your Rights campaign was launched to provide information to workers entering the United Arab Emirates through the airports in Dubai. The first phase of the campaign was launched in February 2016 and included:

- The distribution of information material in 11 languages, including Arabic, English, Hindi, Malayalam and Urdu. The material included legal guidance to educate workers during the pre- and post-arrival period, and to raise their awareness of their rights and duties while employed;
- During the May 2017 meetings of senior officials of the member States of the Abu Dhabi Dialogue, 17,000 copies of the guidance materials were distributed to officials from labour-sending country ministries concerned with the rights of migrant workers.

National and international cooperation in the area of workers' rights

44. The United Arab Emirates continues to support the Abu Dhabi Dialogue, which it is honoured to host. The State organized the initial meetings of the Dialogue in January 2008 and continues to help draw up the Dialogue's agenda with a view to enhancing cooperation with labour-sending Asian countries. The Ministerial Dialogue of the Abu Dhabi Dialogue, held in early 2017, adopted four guidelines for bilateral and multilateral cooperation among Member States in 2017 and 2018 to facilitate initiatives relating to contractual labour, involving Asian labour-sending and receiving countries. The guidelines focused on: promoting and monitoring legal and transparent practices; empowering governments to counter negative practices and hold accountable all parties that fail to comply with relevant national legislation and regulations; the development, endorsement and mutual recognition of skills with a view to ensuring the success of national employment policies in labour-sending countries and meeting their needs; and the need to invest in information technology in order to enhance the management of labour flows in Asia.

VII. Achievements and best practices

A. Achievements

45. The United Arab Emirates is ranked highly according to several international indexes, including the following:

- The human development index of the United Nations Development Programme (UNDP): the United Arab Emirates was ranked third in the Arab world and 42nd globally, and was classified as a country enjoying "very high human development" according to the 2015 UNDP Human Development Report;
- The World Happiness Index: The United Arab Emirates was ranked first in the Arab world and 21st globally according to the 2017 World Happiness Report;
- The Rule of Law Index: The State ranked first in the Middle East and 33rd globally according to the 2016 World Justice Project Rule of Law Index. It also ranked 12th globally in terms of order and security;
- The Transparency International Corruption Perceptions Index: The United Arab Emirates was ranked as the most transparent country and the most successful at combating corruption in the Middle East and North Africa region, according to the 2016 Index. The country was also ranked 24th globally with a 66-point rating;
- The Global Competitiveness Index: The country was ranked fifth globally in terms of government efficiency, second in the world in terms of people's trust in the country's leadership and 21st in the world in terms of innovation and development in the 2016 World Economic Forum Global Competitiveness Report;
- The Global Innovation Index: The United Arab Emirates retained its top position in the Arab world and was ranked 35th globally according to the 2017 Global Innovation Index.

Education

General Education

46. The Government of the United Arab Emirates provides a full range of resources to improve education in the country. A major process has been implemented to develop and modernize education by linking it to the knowledge-based economy, competitiveness and the requirements of the labour market. In 2017, the Ministries of Education and Higher Education received allocations amounting to 20.5 per cent of the general budget (10.2 billion dirhams). These resources were provided for the implementation of plans to achieve ongoing qualitative and quantitative development in all areas of State education, kindergarten education, ongoing integrated education programmes, and private education.

47. The Ministry of Education's strategy for the period 2017 to 2020 provides for an integrated educational system based on the highest international educational standards, and the formulation of world-class curriculums that provide students with skills for the twenty-first century, in line with the country's Vision 2021. In the 2016/17 academic year, there were 1,350 government and private schools in the country, and a total 1,096,180 male and female students at the various education stages. This compares with only 74 schools and 12,800 students in the 1971/72 academic year when the Federation was established.

48. Pursuant to Federal Act No. 29 of 2006 on the rights of persons with disabilities, as amended by Act No. 14 of 2009, and the State's ratification of the Convention on the Rights of Persons with Disabilities in 2008, the Ministry of Education has provided training to more than 70 per cent of its administrative and educational staff on inclusive education. Stakeholder students are provided with key equipment, assistance and assistive devices, and agreements concluded with a number of Federal agencies and local bodies have facilitated the provision of specialized services to those students. A total of 290 special needs education teachers and more than 70 educational specialists work with more than 6,000 male and female stakeholder students.

Higher education

49. The United Arab Emirates has become an international centre for higher education that has attracted many of the world's leading universities, making it a magnet for thousands of students from neighbouring countries. The country hosts a large number of national and international universities, including the Khalifa University of Science and Technology, Zayed University, institutes of high technology, Abu Dhabi University, the Sorbonne University, Sharjah University, the American University of Sharjah, the American University in Dubai, St. Joseph's University in Dubai, George Mason University in Ras al-Khaimah, Ajman University of Science and Technology, the Abu Dhabi Institute of Applied Technology, and other world-class universities and colleges. As of the end of 2016, more than 95,000 students had graduated from these institutions.

Health care

50. The Government pays special attention to the health services sector and has made significant progress in that area according to all health-care indicators. It has also adopted a national health strategy in accordance with international standards and protocols with a view to delivering high-quality, world-class services in the areas of treatment, prevention and follow-up. In addition, it implements strategic programmes to combat non-communicable and communicable diseases and provide care for children and mothers, and other strategic plans to facilitate the achievement of the Sustainable Development Goals in order to ensure the highest level of health for the individual and society. In 2015, there were more than 120 primary health-care centres in the country providing treatment and preventative and follow-up services, as well as school, maternal and child health-care services.

51. The financial resources allocated by the Ministry of Health and Prevention to health-care services in 2015 amounted to 3,915,257,000 dirhams. That figure excludes the budgets that local authorities allocated to their health institutions and major private sector investments. There are 126 hospitals in the country, including 16 federal government hospitals.

52. The United Arab Emirates was ranked 28th in the 2016 Healthcare Quality Index. The Index is published annually by the Legatum Institute within the framework of the Legatum Prosperity Index, which covers 149 countries. The Index health pillar measures a country's performance in three areas, namely basic physical and mental health, health infrastructure and preventative care, and the country was ranked 9th globally in terms of satisfaction with basic physical and mental health. This shows that the population enjoys high levels of physical and mental health, which facilitates the development and growing prosperity of the State.

53. The percentage of public and private hospitals in the country providing internationally-endorsed standards of care rose from 46.8 per cent in 2014 to 55 per cent in 2015. This reflects the existence of world-class state-of-the-art health infrastructure facilities that are staffed by highly-qualified medical personnel.

Social welfare

Social assistance

54. The United Arab Emirates provides monthly financial assistance to 21 categories of persons, including older persons, persons with disabilities, orphans, widows and divorcees. A total of 42,528 families, 2,997 children with disabilities, 673 orphaned children and 205 children of unknown parentage receive benefits under that programme.

Support for persons with disabilities

55. The State endeavours to support persons with disabilities and ensure the provision of all their educational, training and rehabilitation needs with a view to facilitating their integration into society. There are 87 specialized care centres in the country, including 30 State-run centres and 57 centres run by civil society. These centres provide educational, health, sports, and vocational services to persons with disabilities. For the 2017/18

academic year, a total of 4068 students with disabilities are enrolled in the country's specialized care and rehabilitation centres. The Ministry of Culture, Youth and Community Development has, moreover, formulated a set of five interactive educational applications for persons with disabilities, including developmental and communication applications, which have been used by 15,827 persons with disabilities.

Support for older persons

56. Older persons in the United Arab Emirates enjoy high social status and are viewed as making a key contribution to the country's social, cultural and religious environment. All community institutions endeavour to uphold their right to remain in the family setting. The Government has made efforts to provide older persons with all necessary support through the establishment of a number of specialized centres and homes that provide a wide range of care, social support and other services and a total of 15,097 older persons receive social assistance. Care homes, clubs and mobile units providing specialized care to older persons in their homes and private geriatric care facilities have also been established. Among the most important State programmes in this regard is the "Support" initiative, through which families, foundations, charities and members of the community can make donations with a view to providing elderly persons with the health-care services and equipment they need.

Support for children

57. The United Arab Emirates takes a close interest in the situation of children and has thus enacted legislation on the right of children to care and development. It implements a number of plans in the health, social welfare and educational domains to support children's development. There are 295 crèches, including 39 that are State-run, providing social, health, educational and psychological support and recreational activities to 40,723 male and female children under 4 years of age.

58. The United Arab Emirates has chaired meetings of the virtual global task force to combat the online sexual exploitation of children and has obtained two permanent seats on the advisory board of the WeProtect global alliance.

Support for juveniles

59. The Government of the United Arab Emirates protects juvenile offenders of both sexes and has established social education homes to provide them with necessary care. Those homes are equipped to deliver social welfare, education, assistance with behavioural reform and vocational training and house 287 juvenile offenders. Furthermore, a series of interactive programmes targeting children under 18 years of age have been launched. These include the good friends campaign, which, in collaboration with sports and cultural clubs, encourages children to select positive companions and avoid companions exerting a negative influence, the education through play programme, which seeks to instil ethical values in children in line with societal mores, and the don't be a zero programme, which helps juvenile offenders review their personal values with a view to regaining a sense of personal stability.

B. Best practices

60. Programme of Assistance for Victims of Human Trafficking: The State has opened up residential and psychosupport centres for victims of human trafficking, as this is a key element of the country's strategic plan to combat this scourge. The following are some of the most important centres:

- The Dubai Association for the Protection of Women and Children, which was founded in 2007 to provide urgent care and support services to victims, in line with international human rights standards. The Association provides its services free of charge to female and child victims of domestic violence, children subjected to ill-treatment and victims of human trafficking.

- Homes for victims of human trafficking. These were established in 2008, under the auspices of the national Red Crescent Society, to provide rehabilitation services, including psychological, health and legal assistance, to victims of human trafficking. The first home for male victims of human trafficking was opened in Abu Dhabi in January 2014. The home can receive male trafficking victims from anywhere in the country.

- The National Committee to Combat Human Trafficking established the Support Fund for Victims of Human Trafficking: in 2013, which receives financial support from national foundations and charitable societies and members of the business community. The Fund covers certain expenses related to the needs of trafficking victims and their families in their countries of origin, and helps them establish small businesses and organizes training courses to prepare them for future employment. Since its establishment, the Fund has provided $153,735 in assistance to trafficking victims.

61. The Mohammed Bin Rashid Al Maktoum Health Care and Disease Control Initiative: This initiative seeks to address the health concerns of underserved communities and provide high-quality basic health-care services to those in greatest need. In 2016, the Initiative provided a variety of health-care services and spent a total of $61 million on health and disease-control initiatives and programmes, which benefited 10 million people worldwide. The affiliated Al Jalila Foundation continued its efforts to combat infectious diseases in 2016, and provided 1.6 million tetanus vaccines in 15 countries. The Noor Dubai organization also continued its efforts to prevent blindness and succeeded in treating more than 6.6 million people suffering from trachoma in 2016. The organization provided mobile clinics for the treatment of eye diseases in a number of countries, examined 15,603 patients, distributed 2,862 pairs of glasses and conducted 1,794 surgeries. To support medical research and develop treatments for a number of incurable diseases, the Al Jalila Foundation Research Centre funded more than 55 local research studies in 2016.

62. The Teachers' Charter of Tolerance: launched by the Ministry of Education in 2016 to promote tolerance in public and private schools and universities, the Charter underscores the need to disseminate a spirit of tolerance and equality within the country's various educational sectors.

63. The Smart Guidance Initiative: The Smart Guidance device, launched in 2015, is the first remote intelligent device to provide guidance and deliver legal information in a simple and accessible way to skilled workers at all levels. The devices are placed in locations frequented by workers, including the country's airports and departments of preventive medicine of the Ministry of Health and Protection across the country. They have also been installed on Saadiyat Island. Workers can use the devices, which have touch screens and are connected to the Internet, after entering their personal data or swiping their identity cards. They can then watch a 20-minute film that provides a wealth of information regarding their rights and duties. The film can be watched in eight languages, including Arabic, English, Urdu, Hindi, Chinese, Malayalam, Filipino and Vietnamese. The devices have helped raise many workers' awareness of their rights and duties pursuant to the Labour Code and the country's regulations. Approximately 28,800 workers have received a Smart Guidance Certificate since the launch of the Initiative.

64. The Year of Giving Initiative:[*] In December 2016, His Highness Sheikh Khalifa bin Zayed Al Nahyan, President of the United Arab Emirates, declared 2017 the Year of Giving. The Year focuses on three key areas, namely social responsibility, volunteerism and serving the nation. All Initiative projects and programmes aim to promote and entrench those principles and involve all sectors of the country's population in efforts to that end. In that context, the 1,400 Government initiatives and programmes launched by the Supreme National Committee for Good are being implemented by a range of local, quasi-governmental and private-sector stakeholders.

[*] للاطلاع على مزيد من التفاصيل حول مبادرات عام الخير 2017 يرجى زيارة الموقع التالي https://www.giving.ae

VIII. Capacity-building

65. In cooperation with relevant United Nations agencies, the Emirati authorities have organized numerous courses, workshops and training sessions for Government officials and members of civil society organizations with a view to strengthening their capacities in the field of human rights. The United Arab Emirates also collaborates with many other countries and NGOs with expertise in that area to share relevant experiences. The most important authorities involved in this process include:

The Ministry of the Interior

- The Ministry of the Interior has continued to build and develop its human resources through its training and awareness-raising programmes and courses in the field of human rights. From 2013 until mid-2017, the Ministry held 3,406 lectures and workshops, which were attended by 81,848 Ministry employees;
- In accordance with the Ministry's 2014–2016 strategic plan, the Ministry of the Interior has launched a human rights training initiative to train Emirati specialists on human rights concepts, as provided in the country's laws and international conventions. This strategic initiative is the first of its kind in the region and, like other Ministry initiatives, has been approved by and receives input from the Cabinet;
- Trainees on the human rights training initiative programme also take part in field visits to government agencies and civil society organizations concerned with human rights to learn about best practices and ongoing efforts in that area. The most recent field visit was to Geneva and took place in March 2017.

The Ministry of Justice

- The Ministry has adopted a multifaceted annual training plan that keeps abreast with recent legal developments and reflects the real needs of judges, prosecutors and staff at service centres. Under the training plan, the Ministry provides training on international humanitarian law, domestic violence and the ethical conduct of public employees, successful investigations and judgments in criminal cases, and dealing with the objections and complaints of parties;
- The Ministry holds annual theoretical and practical training courses for law graduates that all lawyers must take prior to practising their profession in court.

The Ministry of Human Resources and Emiratization (formerly the Ministry of Labour)

- Sixty-three legal scholars who speak multiple languages have received training on the types of disputes submitted to the Ministry. Another 100 staff have been trained to resolve disputes and arbitrate fairly with a view to helping workers and employers resolve their disputes expeditiously;
- The Department of Labour Guidance has run a number of programmes for employers to raise their awareness of workers' rights in accordance with recently-promulgated ministerial decisions, the regulations on workers' safety, health and social welfare, the regulations on reporting injuries in the workplace and compensation, and the regulations on the imposition of penalties, contract termination and end-of-service indemnities. A total of 3,111 employers have taken these courses during the time period mentioned above;
- The Ministry has also concluded a technical cooperation agreement with the International Labour Organization with a view to enhancing the capacity of the country's labour inspectors to monitor, prevent and combat all forms of forced or compulsory labour.

The Ministry of Health and Prevention

- In March 2016, the Immunizations Department in the Department of Preventive Medicine held a workshop on the management of the poliovirus vaccine, which was attended by 110 doctors and technicians from the public and private sectors. The Ministry provides ongoing training to all its medical and technical personnel to enable them to keep abreast of the latest developments in the areas of preventative medicine and immunization.

The Ministry of Education

- In 2015, 2016 and 2017, the Ministry implemented a specialized training programme for staff teaching all subjects and activities in government schools at all stages of education. Some 300 activities, training sessions and workshops covering 23 subjects were held annually in each of the three years in question. In addition, 380 five-day training courses were held during the annual teachers' conference. Training was, moreover, provided to special education teachers on how to draw up personalized education programmes for students with disabilities, including those with learning disabilities and on teaching strategies for students with disabilities. Kindergarten teachers received training on ways to teach Arabic and mathematics.

The General Women's Union

- In June 2015, the General Women's Union, in cooperation with UNDP, and the Abu Dhabi-based National Committee for Elections to the National Council, organized a workshop on women and political participation. The workshop was organized as part of the State's efforts to promote women's empowerment and their participation in decision-making.

The Supreme Council for Motherhood and Childhood

- In January 2015, the Supreme Council in collaboration with the UNICEF Gulf Area Office, organized a workshop on child protection measures. The workshop aimed at raising awareness of how to protect children from violence, abuse and neglect, and looked in detail at the procedures, mechanisms and practices of all parties working in the field of child protection.

Community Development Authority in Dubai

- In May 2017, the Community Development Authority in Dubai organized a workshop on the latest global methods for evaluating the integration of persons with disabilities in the labour market. The workshop was attended by representatives of all State authorities concerned with employment and integration, as well as the Authority's internal technical team.

Dubai Foundation for Women and Children

- The Foundation participated in a training programme, held in Geneva in March 2017, on the relationship between legal experts and United Nations human rights mechanisms and specialized organizations.

The Shelter for Women and Children

- The Shelter participated in a capacity-building workshop for relevant national authorities on victim support mechanisms. The workshop was organized by the United Nations Office on Drugs and Crime (UNODC) Office for the Gulf Cooperation Council Countries and held in Lebanon in May 2015.

The Emirates Human Rights Association

- The Association participated in a training course, held at the Dubai Judicial Institute in January 2016, on international humanitarian law; the course focused on capacity-

building and aimed to enhance the skills and knowledge of human rights of the Association's members in various areas related to human rights.

- The Association also organized a training course on 17 and 18 May 2016 on women's rights in the light of international conventions and national legislative instruments.

IX. Challenges and priorities

66. The United Arab Emirates takes a transparent and gradualist approach that succeeds in binding its legislative and administrative norms and aligning them with the human rights commitments that the State has made to the international community. Like other States, the United Arab Emirates faces certain challenges and must establish priorities in the area of human rights in the light of the rapid changes taking place in the world in that regard. Special attention must be focused on the following:

(a) Strengthening the role of specialized national mechanisms in the area of human rights protection in order to keep abreast with international developments;

(b) Strengthening existing national laws and legislation with a view to further protecting human rights and keeping up with the best global legislative practices in that regard;

(c) Creating a team of specialized human rights officers and providing them with the training they require;

(d) Disseminating a human rights culture to the greatest extent possible and taking steps to entrench that culture in the professional world and in academia.

67. Despite the challenges it faces, the United Arab Emirates will continue its efforts to promote comprehensive sustainable development by taking action to achieve the goals set forth in Vision 2021, which aims to make the United Arab Emirates one of the best countries in the world, and in the 2030 Agenda for Sustainable Development;[7] its efforts in that regard will no doubt have a significant impact on the human rights situation in the State.

X. Voluntary pledges

68. In submitting its third periodic report, the State undertakes to:

(a) Promulgate the federal act on domestic violence;

(b) Continue to engage with the United Nations human rights agencies, mechanisms and committees with a view to ensuring that it receives all necessary support to facilitate the implementation of its programmes and activities, and to take action to comply with its international obligations within the context of those agencies and mechanisms;

(c) Formulate a comprehensive national human rights plan that is updated in the light of new developments and is in line with the laws of the State and its international obligations in the field of human rights;

(d) Continue its efforts to promote the protection of labour rights through the adoption of the necessary institutional and legislative measures, and to develop legislative and institutional mechanisms to provide greater protection for domestic workers and strengthen their access to effective arbitration mechanisms;

(e) Continue its efforts to achieve the Sustainable Development Goals, particularly those related to human rights;

[7] يرجى زيارة بوابة دولة الإمارات لأهداف التنمية المستدامة على الرابط http://uaesdgs.ae.

(f) Launch a national plan to raise political awareness and promote a culture of political participation;

(g) Establish an independent national human rights commission on the basis of the Paris Principles.

XI. Conclusion

69. In submitting its third periodic report for review, the United Arab Emirates reaffirms that it will continue its efforts to promote and protect human rights in line with its national legislation and laws and its international obligations. The State is determined to move forward by building on achievements made in the field of human rights and to continue to make a positive and active contribution to support best global practices in that area. The United Arab Emirates looks forward to continuing its cooperation with the Human Rights Council, the universal periodic review mechanism and the mandate holders to strengthen and safeguard human rights.

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Compilation on the United Arab Emirates

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies[1, 2]

2. Several treaty bodies and special procedures mandate holders recommended the ratification of the International Covenant on Civil and Political Rights and the Optional Protocols thereto, the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol thereto, the Optional Protocol to the Convention on the Elimination of all Forms of Discrimination against Women, the Optional Protocols to the Convention on the Rights of the Child, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance, the 1961 Convention on the Reduction of Statelessness, the 1954 Convention relating to the Status of Stateless Persons and International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189).[3]

3. The United Nations Educational, Scientific and Cultural Organization (UNESCO) recommended that the United Arab Emirates ratify its Convention against Discrimination in Education.[4]

4. The Committee on the Elimination of Discrimination against Women was concerned that some of the reservations to articles 2 (f), 9, 15 (2), 16 and 29 (1) of the Convention on the Elimination of All Forms of Discrimination against Women had been withdrawn and that no time frame had been set for such withdrawal.[5]

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III. National human rights framework[6]

5. The Committee on the Elimination of Discrimination against Women was concerned that, despite its commitments made during the first cycle of the universal periodic review, the United Arab Emirates had still not established a national human rights institution in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles).[7] Several treaty bodies and the Special Rapporteur on the independence of judges and lawyers recommended that the United Arab Emirates establish a national human rights institution in accordance with the Paris Principles.[8]

6. The Committee on the Elimination of Discrimination against Women reiterated its concern over the lack of information on the legal framework defining the mandate of the General Women's Union as the national machinery for the advancement of women. It was also concerned that the practical implementation of the national strategy for the empowerment and advancement of Emirati women remained unclear.[9]

7. The Committee on the Rights of the Child recommended that the Supreme Council for Motherhood be provided with a clear mandate and the resources necessary to ensure effective implementation of the Convention on the Rights of the Child.[10]

8. Several treaty bodies noted a lack of dialogue and cooperation with civil society in the area of human rights.[11]

9. UNESCO recommended that the United Arab Emirates strengthen efforts to promote education and training on human rights.[12]

10. Since 2012, the United Arab Emirates had contributed annually to the Office of the United Nations High Commissioner for Human Rights (OHCHR), including to the Voluntary Fund for the Victims of Torture and the Voluntary Trust Fund on Contemporary Forms of Slavery.[13]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimination[14]

11. The Committee on the Elimination of Racial Discrimination was concerned that article 25 of the Constitution did not include all the grounds of discrimination specified in article 1 of the International Convention on the Elimination of All Forms of Racial Discrimination, including colour, descent and ethnic origin. It was further concerned that the article stipulated that the prohibition of discrimination applied to "citizens of the Union", and therefore might not apply equally to non-citizens.[15]

12. The same Committee was concerned that the definition of discrimination in Federal Law No. 2 (2015) on combating discrimination and hatred, which criminalized blasphemy, defamation of religions, discrimination and hate speech, was not fully in line with article 1 of the Convention, as discrimination on the grounds of descent and national origin were not provided for. The Committee was also concerned that the prescribed punishments were not proportional to the crimes.[16]

13. The Committee recommended that any legislation on hate speech fulfil the requirements of article 4 of the Convention, which required States parties to prohibit dissemination of ideas based on racial superiority and hatred, incitement to racial hatred, acts of violence against any race or groups of persons of another colour or ethnic origin, and incitement to such acts; and that criminal sanctions be governed by principles of legality, proportionality and necessity.[17]

2. Human rights and counter-terrorism[15]

14. OHCHR noted that the 2014 counter-terrorism law provided for the death penalty for individuals whose activities were found to "undermine national unity or social peace", neither of which were defined in the law.[17] OHCHR stated that the law was also applicable to children over the age of 16 years, in contradiction with the international obligations of the United Arab Emirates under the Convention on the Rights of the Child.[18] The Committee on the Rights of the Child expressed similar concern.[19]

B. Civil and political rights

1. Right to life, liberty and security of person[20]

15. In 2016, the United Arab Emirates abstained from voting on General Assembly resolution 71/187 on a moratorium on the use of the death penalty.[21] Executions had reportedly been carried out in the United Arab Emirates during the period from December 2014 to July 2016.[24]

16. The Special Rapporteur on independence of judges and lawyers noted with concern that the limited guarantees provided against arbitrary arrest and detention in the Code of Criminal Procedure did not apply to persons arrested on State security or terrorism-related charges.[25] She had received reports that people had been arrested without a warrant, and noted that such cases very often concerned people who were later accused of State security crimes. Most of them had been taken to secret detention facilities and kept incommunicado, which could sometimes amount to enforced disappearances.[26] She had also received credible information and evidence that many of those individuals had been subjected to torture or other forms of ill-treatment.[27]

17. The Special Rapporteur regretted that the Code of Criminal Procedure did not provide a maximum limit for pretrial detention.[28] OHCHR noted irregularities with respect to pretrial detention, including, in some cases, denial of communication with detainees' families.[29]

18. In February 2016, a group of special procedure mandate holders urged the United Arab Emirates to immediately and unconditionally release several foreign nationals who had been arbitrarily detained for one and a half years. The Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment noted credible information indicating that the detainees had been tortured and forced to sign confessions; the Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health indicated that most of them suffered from serious health conditions, due to torture and the lack of access to adequate medical care; and the Special Rapporteur on independence of judges and lawyers underlined that the detainees had not been able to challenge the lawfulness of their detention before a court. Some of them had been charged under a law that had not yet entered into force at the time of their arrest.[30] The arbitrary nature of their detention had also been confirmed by the Working Group on Arbitrary Detention in its decision.[31]

2. Administration of justice, including impunity, and the rule of law[32]

19. The Special Rapporteur on independence of judges and lawyers was seriously concerned about reports and allegations of pressure exerted on judges by members of the executive, prosecutors and other State agents, in particular members of the State security apparatus and that the judicial system remained under the de facto control of the executive branch.[33] She was also concerned that the mechanism for appointing judges lacked transparency and might expose them to undue political pressure.[34] She recommended that the principle of the separation of powers be enshrined in the Constitution and concrete measures taken to strengthen the independence of the judiciary.[35]

20. The Special Rapporteur was seriously concerned about reports indicating that the prosecution services were often influenced by members of the executive.[36] She recommended that the autonomy of the public prosecution be ensured vis-à-vis the Ministry of Justice and that prosecutors be able to perform their functional activities in an independent, objective and impartial manner.[37]

21. The Special Rapporteur also recommended that the independence of lawyers be respected and ensured by the authorities and that immediate measures be taken to put an end to all forms of harassment, pressure and threats exerted on lawyers.[9]

22. The Special Rapporteur stated that the federal system was complex and could be difficult to understand, in particular for non-nationals, and there appeared to be a lack of consistency in the application of federal laws across the different Emirates.[10] She recommended that specific steps be taken to remedy discrepancies between the Emirates regarding the independence and impartiality of the judiciary and the transparency and efficiency of the administration of justice.[11]

23. The Special Rapporteur was concerned about access to justice for vulnerable members of the population, such as migrant workers, domestic workers and stateless persons (bidoon). They faced serious obstacles in accessing the justice system and it was often impossible for vulnerable persons to seek remedies for abuses they had suffered.[12]

24. The Special Rapporteur was extremely concerned at the serious allegations of violations of due process and fair trial guarantees made, especially with regard to State security-related offences.[13] She was also concerned about the apparent lack of transparency during both the investigation phase and court proceedings, particularly with regard to criminal cases heard before the State security chamber of the Federal Supreme Court.[14] In many of those cases, hearings were held in closed sessions or with limited public access.[15]

25. The Special Rapporteur noted that so-called State security crimes fell under the exclusive jurisdiction of the Federal Supreme Court and were considered in first and last instance by the State security chamber of the Court, with no possibility of review by a higher tribunal.[16]

26. The Special Rapporteur was extremely concerned at reports that an accused person's access to a lawyer could be restricted by the police or the prosecution during the investigative phase. She was particularly alarmed at reports that individuals accused of committing crimes that jeopardized State security had extremely limited access to legal counsel.[17]

27. The Special Rapporteur was also concerned at reports that translations and interpretation in court cases involving non-Arabic speakers, while required by law, were not always provided in practice, or that their quality was poor.[17] Referring to the trial of a domestic worker in May 2015, a group of special procedure mandate holders stated that discriminatory treatment by criminal courts, in particular of migrant women who were not provided with interpretation services and quality legal aid, led to disproportionately severe sentences and seemed to be a persistent problem in the United Arab Emirates.[18]

28. Concerning non-national judges, the Special Rapporteur recommended that a transparent and clear strategy be adopted to progressively reduce their number and that, in the longer term, the goal be to fully nationalize membership of the judiciary.[19]

3. Fundamental freedoms[20]

29. OHCHR indicated that the authorities had not taken effective measures to repeal the 1980 law on publications and amend other relevant legislation to ensure it was aligned with international human rights law on freedom of expression.[21]

30. OHCHR noted numerous criticisms of the criminal defamation provisions in the Penal Code, the 2012 cybercrime law and the 2014 anti-terrorism law as they provided for trials that fell short of international human rights standards.[22] UNESCO noted that defamation was a criminal offence under the Penal Code and carried a maximum prison term of up to two years. It recommended that the United Arab Emirates decriminalize defamation and place it within a civil code.[23]

31. OHCHR stated that, under the pretext of national security, many activists had been prosecuted for allegations mainly related to a person's right to express his or her opinion and criticism of any public policy or institution.[24] A group of special procedure mandate holders urged the United Arab Emirates to end the harassment and intimidation of human rights defenders and respect the right to freedom of opinion and expression, including on social media and the Internet.[25]

32. The same group of special procedure mandate holders urged the United Arab Emirates to immediately release renowned human rights defender Ahmed Mansoor. They feared that his arrest and detention might have been reprisals for his engagement with the United Nations human rights mechanisms, the views he had expressed on social media, and his being an active member and supporter of human rights organizations. They stressed that the lack of an arrest warrant or any judicial oversight of his arrest and detention represented breaches of the fundamental principles of due process under international human rights law.[56] OHCHR stated that the arrest of Ahmed Mansoor was in contrast to the international human rights obligations of the United Arab Emirates and the Constitution.[57]

33. OHCHR was concerned about the detention of Osama al-Najjar after a three-year prison sentence for charges related to his peaceful activities on Twitter; the sentencing of prominent academic Nasser bin-Ghaith to 10 years in prison for charges that included speech-related offences; and the sentencing of journalist Tayseer al-Najjar to three years in prison for his online criticism in 2016.[58]

34. UNESCO noted that there was no law guaranteeing freedom of information as a basic right. It encouraged the United Arab Emirates to introduce a law on freedom of information[59] and strengthen the independence of broadcast licensing,[60] in accordance with international standards.

4. Prohibition of all forms of slavery[61]

35. OHCHR and the Committee on the Elimination of Discrimination against Women noted the efforts made to combat trafficking, such as the adoption of Federal Law No. 1 (2015), which provided protection to victims of trafficking, and the 2012 and 2015 amendments to Federal Law No. 51 (2006).[62]

36. The Committee on the Rights of the Child was concerned that children continued to be trafficked to the United Arab Emirates for the purpose of sexual exploitation or for forced begging. It was also concerned that such children were not properly identified and were often deported without proper identification, and that trafficking victims encountered challenges to registering the birth of their children, especially those born out of wedlock as a result of sexual abuse.[63]

5. Right to privacy and family life[64]

37. The Committee on the Elimination of Discrimination against Women noted with concern the reported persistence of unregistered child and/or forced marriages and the use by judges of derogations to the legal minimum age of marriage of 18 years, in some cases. It urged the United Arab Emirates to strictly enforce the legal minimum age of marriage of 18 years for both girls and boys,[65] and recommended that polygamy be discouraged and prohibited.[66]

C. Economic, social and cultural rights

38. The Committee on the Elimination of Racial Discrimination regretted the lack of demographic information on the ethnic composition of the population, including non-citizens, and the lack of data on the enjoyment of economic, social and cultural rights by ethnic groups.[67]

1. Right to work and to just and favourable conditions of work[68]

39. While noting that Federal Law No. 2 (2015) on combating discrimination and hatred contained some articles imposing penalties for discrimination in employment, the Committee on the Elimination of Racial Discrimination was concerned at reports of wage differentials among foreign employees from different geographical regions.[69]

40. The Committee on the Elimination of Discrimination against Women was concerned that it was still possible for a husband to prohibit his wife from working and to limit her freedom of movement, pursuant to articles 71 and 72 of the Personal Status Law. It urged the United Arab Emirates to repeal those articles without delay and to review any other provisions that impeded women's free choice of profession and employment.[70]

41. The Committee on the Rights of Persons with Disabilities recommended that the United Arab Emirates eliminate discriminatory practices on the basis of impairment and gender, and adopt the policies and measures necessary, including affirmative action, to significantly increase the employment rate of persons with disabilities.[71]

2. Right to health[72]

42. The Committee on the Elimination of Discrimination against Women was concerned about the limited information on education on sexual and reproductive health rights.[73] The Committee on the Rights of the Child recommended that the United Arab Emirates adopt a comprehensive sexual and reproductive health policy for adolescents and ensure that sexual and reproductive health education was part of the mandatory school curriculum and targeted adolescent girls and boys.[74]

43. The Committee on the Elimination of Discrimination against Women was concerned about the criminalization of abortion except in very limited cases, which did not include incest, rape and a threat to the health of the pregnant woman, and that women who had reportedly been accused of illegal abortion following miscarriages were faced with criminal charges.[75] The Committee on the Rights of the Child raised similar concerns.[76]

3. Right to education[77]

44. The Committee on the Elimination of Discrimination against Women commended the United Arab Emirates for making education compulsory until the age of 18 years instead of 15 years, since 2012, but regretted that it had been unable to ascertain what measures were in place to increase the capacity of schools to accommodate pupils not previously covered by that regulation. It recommended that the United Arab Emirates increase capacity to accommodate the increased enrolment that would result from extending compulsory education to the age of 18 years, particularly to enable girls to continue their education at the secondary level.[78] UNESCO made similar observations.[79]

45. UNESCO recommended that the United Arab Emirates enshrine education as a right in the Constitution and all relevant legislation, and ensure that the right to non-discrimination applied to education, in accordance with international standards on the right to education and Sustainable Development Goal 4.[80]

46. The Committee on the Rights of the Child was concerned that access to free education was guaranteed only to children who were nationals. It recommended that the United Arab Emirates ensure that all children living on its territory enjoyed their right to free compulsory primary education.[81]

D. Rights of specific persons or groups

1. Women[82]

47. OHCHR stated that issues relating to women's rights under personal status laws, such as Federal Law No. 28 (2005), remained in need of development, as they continued to fall outside of the provisions of the Convention on the Elimination of All Forms of Discrimination against Women.[83]

48. The Committee on the Elimination of Discrimination against Women was concerned that the principle of equality of women and men had still not been enshrined in the Constitution and national legislation, and that discrimination against women had not yet been defined in accordance with the Convention on the Elimination of All Forms of Discrimination against Women and prohibited by law. It recommended that the United Arab Emirates incorporate, without further delay, the principle of equality of women and men into its Constitution, in accordance with its commitment made during the second cycle of the universal periodic review,[84] and prohibit and sanction all forms of discrimination against women, encompassing both direct and indirect discrimination in the public and private spheres. It urged the United Arab Emirates to repeal as a matter of priority all legal provisions that continued to discriminate against women, including those contained in the Penal Code and the Personal Status Law.[85]

49. The same Committee was particularly concerned about the de jure maintenance of male guardianship of women and girls, the impossibility for an Emirati woman to sign her own marriage contract, the continued practice of dowry, the obligation imposed on a woman to obey her husband, including sexually, the maintenance of polygamy and the limited grounds available to women to seek divorce, while men could unilaterally request a divorce for any reason.[86] The Committee on the Rights of Persons with Disabilities recommended that the United Arab Emirates abolish the system of male guardianship of women, including women with disabilities.[87]

50. The Committee on the Elimination of Discrimination against Women took note of the 2011 decree granting nationality to children born of Emirati women and foreign fathers upon reaching the age of majority. However, it remained concerned that Emirati women were still denied equality regarding nationality compared with the rights guaranteed to men.[88] The Committee reiterated its previous recommendation to grant Emirati women the same rights as Emirati men to acquire, change and retain their nationality and to pass it on to their children and foreign spouse.[89]

51. The same Committee was deeply concerned that a divorced woman lost custody of her daughters when they reached 13 years of age and of her sons when they reached 11 years of age, or even before those ages if she remarried.[90]

52. The Committee noted with serious concern that, in 2010, the Federal Supreme Court had issued a ruling upholding the right of men to chastise their wives and children and that, in 2013, the United Arab Emirates had not accepted the recommendation made during the second cycle of the universal periodic review to repeal article 53 of the Penal Code, which authorized that right.[91] The Committee was also concerned about the slow progress that had been achieved in enacting comprehensive legislation on violence against women.[92] The Committee on the Rights of the Child raised similar concerns.[93] The two Committees recommended that the United Arab Emirates immediately repeal article 53 of the Penal Code and all legislation that could be used to impose violence on women and girls.[94]

53. The Committee on the Elimination of Discrimination against Women was concerned about violence against women resulting from the criminalization of consensual sexual relations between adults outside of marriage, under article 356 of the Penal Code, and the use of that article to criminalize women in prostitution and women who were victims of trafficking, sexual exploitation and abuse. It was concerned that, in all those cases, women faced harsh sanctions, such as prison sentences, torture and the death penalty, and inhuman, cruel or degrading punishment in the form of stoning or flogging. It was also concerned that hundreds of women were reportedly serving sentences after being convicted of having sexual intercourse outside of marriage (*zina*).[95]

54. The same Committee was concerned that access to justice by women and girls, including effective legal remedies, was severely hampered by the reluctance to register complaints and the negative attitudes of law enforcement officials towards women denouncing acts of violence committed against them.[96]

55. The Committee was also concerned about the discriminatory treatment of women in courts, especially foreign women, the lack of interpretation services and legal aid and the disproportionately severe sentences imposed on foreign women in criminal court proceedings.[97]

56. The Special Rapporteur on independence of judges and lawyers recommended that gender-based bias, stereotypes and discrimination persisting in the justice system be addressed and eliminated urgently and that training on gender equality and women's rights, in particular on the Convention on the Elimination of All Forms of Discrimination against Women, be made compulsory for all judges, prosecutors and lawyers at both federal and local levels.[98]

57. The Committee on the Elimination of Discrimination against Women welcomed the fact that 30 per cent of leadership positions in the Government were held by women. However, it noted that women, nevertheless, remained underrepresented in the Federal National Council and in the judiciary and that, while they accounted for 71.6 per cent of university students, they represented only 15 per cent of faculty members.[99]

58. The Special Rapporteur on independence of judges and lawyers recommended that Federal Law No. 3 (1983) be amended urgently in order to allow women to become federal

judges and prosecutors. She also recommended that additional measures and clear policies to improve the representation of women in the judiciary be adopted at both the federal and local levels.[100]

59. The Committee on the Elimination of Discrimination against Women welcomed Cabinet Decision No. 319/15F/22 on the promotion of women's participation in the boards of directors of federal authorities, companies and institutions. However, it was concerned about the absence of a clear strategy to translate political will into reality, and recommended that the United Arab Emirates adopt and effectively implement temporary special measures.[101]

2. Children[102]

60. The Committee on the Rights of the Child was concerned that certain rights under the Constitution were guaranteed only to citizens and not to non-citizens residing in the Emirates and that bidoon children and children born out of wedlock continued to experience serious discrimination.[103]

61. The same Committee was concerned about the slow and lengthy nature of the process for adopting the children's rights bill.[104]

62. The same Committee was concerned about the situation of the children of human rights defenders convicted in the context of the "UAE 94" trial (trial of 94 human rights defenders), whose rights to education, identity documents, freedom of movement and maintenance of contact with their detained parents had reportedly been seriously undermined.[105]

63. The Committee was concerned that child victims rarely reported instances of sexual abuse or exploitation, as they ran the risk of being charged with committing a sexual crime and even sentenced to flogging pursuant to Federal Law No. 9 (1976). The Committee was also concerned that national legislation did not adequately protect children from pornography and prostitution.[106]

64. The Committee remained particularly concerned that corporal punishment of children was lawful in the home and as a sentence for having committed a crime.[107] It recommended that the United Arab Emirates adopt a comprehensive law that addressed all forms of violence, explicitly prohibited corporal punishment in all settings and included measures to raise awareness of positive, non-violent and participatory forms of child-rearing.[108]

65. While noting that the employment of children under the age of 15 years was prohibited, the Committee was concerned that the prohibition did not apply to certain sectors of the economy, such as agriculture.[109]

66. The Committee remained concerned that the new federal bill on juvenile justice contained derogatory language regarding children in conflict with the law. It urged the United Arab Emirates to ensure the provision of qualified and independent legal aid to children in conflict with the law at an early stage of and throughout any legal proceedings.[110]

67. The Committee recommended that the United Arab Emirates expeditiously adopt an amended bill on juvenile justice to raise the age of criminal responsibility (which was currently set at 7 years of age) to an internationally acceptable level, as previously recommended. It stated that all children in conflict with the law should be brought before juvenile justice courts and not religious courts.[111]

3. Persons with disabilities[112]

68. The Committee on the Rights of Persons with Disabilities was concerned that the definition of disability in national legislation was not in accordance with the criteria and principles set out in the Convention on the Rights of Persons with Disabilities. It recommended that the United Arab Emirates ensure that its legislation, policies and practices were in full compliance with the general principles and specific provisions of the Convention.[113]

69. The same Committee recommended that the United Arab Emirates explicitly define in national law that denial of reasonable accommodation and discrimination by association were forms of disability-based discrimination.[114]

70. The same Committee was concerned about the absence of specific binding legal and policy frameworks to ensure accessibility for persons with disabilities, on an equal basis with others, to all facilities and services open or provided to the public, including access to information, means of communications and transport.[115]

71. The same Committee was deeply concerned about legislative provisions that made it possible to restrict and even deny the legal capacity of persons with disabilities. It recommended that the United Arab Emirates repeal regimes of substituted decision-making and replace them with supported decision-making regimes that upheld the autonomy, will and preferences of persons with disabilities.[116]

72. The Committee was concerned about the lack of inclusive employment policies and the low employment rate of persons with disabilities despite a quota system, in particular women, whose participation in employment might, in practice, be conditional on the consent of a male guardian.[117]

73. The Committee recommended that the United Arab Emirates repeal legislation that violated the right of persons with disabilities to free and informed consent in relation to medical treatment, and enact legislation that explicitly recognized that right for persons with disabilities, including persons with intellectual and psychosocial disabilities.[118]

74. The Committee was concerned that Federal Law No. 10 (2008) on medical liability and other laws allowed guardians or legal representatives to consent to medical research or experiments on behalf of persons with disabilities. It recommended that the United Arab Emirates repeal such laws.[119]

4. Migrants, refugees and asylum seekers[120]

75. In 2015, the ILO Committee of Experts on the Application of Conventions and Recommendations urged the Government to make every effort to ensure that the amended law on the regulation of labour relations (Federal Law No. 8 (1980)) included a specific provision that defined and explicitly prohibited both direct and indirect discrimination on all the grounds set out in ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), which covered all workers, both nationals and non-nationals, and all aspects of employment and occupation.[121]

76. The Committee on the Elimination of Racial Discrimination recommended that the United Arab Emirates take measures to prevent barriers in access to justice of foreign workers; ensure that foreign workers could submit complaints regarding abusive labour practices to independent and effective mechanisms; and consider creating a labour ombudsman to effectively monitor and resolve labour disputes.[122]

77. The same Committee was concerned that, despite the protective measures recently enacted, gaps in protection of foreign workers under the *kafalah* (sponsorship) system still existed. The Committee recommended that the United Arab Emirates end the *kafalah* system and regulate residency permits through the government ministries. It also recommended that policies and measures protecting foreign workers who were currently under the *kafalah* system be fully implemented and that any worker facing abuse or exploitation under the system be able to fully access appropriate remedies.[123]

78. The Committee was concerned that, without regular monitoring and enforcement of protective policies and measures, abusive working practices, such as the withholding of passports, false imprisonment, substandard working conditions, long working hours, non-payment of wages and overtime, unlawful deduction of wages, insufficient rest or break periods and overcrowded living conditions, would continue to persist against foreign workers.[124]

79. The Committee was concerned that foreign workers who returned to their home countries would not be entitled to pensions even after long periods of service. It recommended that the United Arab Emirates examine the feasibility of establishing a State-administered pension system for foreign workers, possibly financed by employers and employees, based on the length of service and other relevant criteria.[125]

80. OHCHR noted that the labour law reforms aimed at abolishing the *kafalah* system for migrant workers showed immense progress for workers' rights; however, domestic workers remained exempted from its benefits.[126]

81. In 2016, the ILO Committee of Experts urged the Government to take the necessary measures to ensure that migrant domestic workers were fully protected from abusive practices and conditions and expressed the firm hope that the bill regulating the working conditions of migrant domestic workers would be adopted in the near future. It also requested the Government to take measures to strengthen the capacity of migrant workers to enable them, in practice, to approach the competent authorities and seek redress in the event of a violation of their rights or abuses, without fear of retaliation.[127] The Committee on the Elimination of Racial Discrimination recommended that the United Arab Emirates ensure that the 2017 bill on the rights of domestic workers contained provisions offering protection from abuse and labour exploitation of domestic workers.[128]

82. The Committee on the Elimination of Discrimination against Women regretted that, under the new standard contract regulating employment relations between women migrant domestic workers and their employers, women domestic workers might still be required to work 16 hours a day, were not guaranteed a minimum wage, remained excluded from the application of the Labour Code and could still not change employers without running the risk of facing charges of "absconding". The Committee was concerned that the practice of confiscation of passports by employers remained widespread and prevented women from escaping abusive situations.[129]

83. A group of special procedure mandate holders highlighted that migrant women employed as domestic workers were easy targets for gender-based violence, including sexual violence, beatings, threats and psychological abuse, which was perpetrated with impunity.[130]

84. The Committee on the Rights of the Child regretted that the United Arab Emirates did not recognize the presence of refugees and asylum seekers on its territory and had still not adopted any legal and policy framework in that respect. It was particularly concerned about the situation of refugee children who lacked access to all basic services. It recommended that the United Arab Emirates adopt the necessary legal framework, as well as all the necessary measures, in accordance with the Sharjah Principles,[131] with a view to ensuring that asylum-seeking and refugee children fully enjoyed their rights.[132]

5. Stateless persons[133]

85. The Committee on the Elimination of Discrimination against Women remained concerned that the denial of equality to Emirati women regarding passing on their nationality to their children could lead to the children's statelessness.[134] The Committee on the Rights of the Child raised similar concerns.[135]

86. The Committee on the Elimination of Racial Discrimination recommended that the United Arab Emirates take measures to consider applications for citizenship from bidoon (stateless persons) residing in the United Arab Emirates and provide them with documentation necessary to access health care, education, employment and State-provided services, without discrimination.[136] The Committee on the Elimination of Discrimination against Women was concerned about the absence of progress in addressing the situation of the thousands of bidoon women who remained deprived of their basic right to Emirati nationality and related rights.[137]

87. The Committee on the Rights of the Child remained seriously concerned about the situation of thousands of children, including bidoon children, non-Arab children and children of unknown parentage, who remained stateless and therefore had limited access to birth registration, health care and education.[138] It was also concerned that the criminalization of sexual relations outside of marriage prevented the registration of children born out of wedlock and could lead to their abandonment.[139]

Notes

[1] Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for the United Arab Emirates will be available at www.ohchr.org/EN/Countries/MENARegion/Pages/AEIndex.aspx.
[2] For relevant recommendations, see A/HRC/23/13, paras. 128.1-128.16, 128.18-128.25, 128.32-128.35 and 128.120.
[3] See CEDAW/C/ARE/CO/2-3, para. 53; CERD/C/ARE/CO/18-21, paras. 26, 28 and 33; CRC/C/ARE/CO/2, paras. 73-74; A/HRC/29/26/Add.2, para. 90; and A/HRC/23/48/Add.1, para. 81 (a).
[4] UNESCO submission for the universal periodic review of the United Arab Emirates, p. 5, recommendation 1.
[5] See CEDAW/C/ARE/CO/2-3, paras. 9-10.
[6] For relevant recommendations, see A/HRC/23/13, paras. 128.41-128.50, 128.75-128.78, 128.151, 128.153, 128.164 and 128.173.
[7] See CEDAW/C/ARE/CO/2-3, paras. 17-18.
[8] See CEDAW/C/ARE/CO/203, para. 17 (c); CERD/C/ARE/CO/18-21, para. 8; CRC/C/ARE/CO/2, para. 19; and A/HRC/29/26/Add.2, para. 91. See also OHCHR submission to the universal periodic review of the United Arab Emirates, p. 1.
[9] See CEDAW/C/ARE/CO/2-3, paras. 17-18.
[10] See CRC/C/ARE/CO/2, paras. 12-13.
[11] See CEDAW/C/ARE/CO/2-3, para. 10; CERD/C/ARE/CO/18-21, para. 36; CRC/C/ARE/CO/2, para. 21; and CRPD/C/ARE/CO/1, para. 66.
[12] UNESCO submission, p. 6, recommendation 5.
[13] OHCHR, *OHCHR Report 2012*, pp. 151 and 171; *OHCHR Report 2013*, pp. 169 and 186; *OHCHR Report 2014*, pp. 101-102 and 120; *OHCHR Report 2015*, pp. 99-100 and 117; and *OHCHR Report 2016*, pp. 117, 119 and 136.
[14] For relevant recommendations, see A/HRC/23/13, paras. 128.70-128.72.
[15] See CERD/C/ARE/CO/18-21, para. 9.
[16] Ibid., para. 11.
[17] Ibid., paras. 12 (c)-(d).
[18] For the relevant recommendation, see A/HRC/23/13, para. 128.157.
[19] OHCHR submission, p. 2.
[20] Ibid.
[21] See CRC/C/ARE/CO/2, paras. 70-71.
[22] For relevant recommendations, see A/HRC/23/13, paras. 128.120-128.132.
[23] A/71/PV.65, pp. 25-26.
[24] See A/71/332, para. 25.
[25] See A/HRC/29/26/Add.2, para. 50.
[26] Ibid., para. 51.
[27] Ibid., para. 52.
[28] Ibid., para. 49.
[29] OHCHR submission, p. 2.
[30] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=17043&LangID=E.
[31] See A/HRC/WGAD/2015/51, para. 63.
[32] For relevant recommendations, see A/HRC/23/13, paras. 128.51-128.53, 128.56, 128.59, 128.61, 128.90, 128.155-128.156 and 128.177.
[33] See A/HRC/29/26/Add.2, para. 33.
[34] Ibid., para. 35.
[35] Ibid., para. 96.
[36] Ibid., para. 72.
[37] Ibid., para. 123.
[38] Ibid., para. 130.
[39] Ibid., para. 28.
[40] Ibid., para. 92.
[41] Ibid., para. 63.
[42] Ibid., para. 48.
[43] Ibid., para. 57.
[44] Ibid., para. 58.
[45] Ibid., para. 61.
[46] Ibid., para. 56.
[47] Ibid., para. 60.

[45] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21462&LangID=E.
[46] See A/HRC/29/26/Add.2, para. 104.
[47] For relevant recommendations, see A/HRC/23/13, paras. 128.103-128.119.
[48] OHCHR submission, p. 2. See also A/HRC/23/13, para. 128.106 (United Kingdom of Great Britain and Northern Ireland), and A/HRC/23/13/Add.1, para. 5 (a).
[49] OHCHR submission, p. 2.
[50] See UNESCO submission, paras. 8 and 17.
[51] OHCHR submission, p. 2.
[52] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21449&LangID=E.
[53] Ibid.
[54] OHCHR submission, p. 2.
[55] Ibid.
[56] See UNESCO submission, paras. 7 and 18.
[57] Ibid., para. 19.
[58] For relevant recommendations, see A/HRC/23/13, paras. 128.137-128.143.
[59] OHCHR submission, pp. 1 and 3. See also CEDAW/C/ARE/CO/2-3, para. 31.
[60] See CRC/C/ARE/CO/2, paras. 68-69.
[61] For relevant recommendations, see A/HRC/23/13, paras. 128.74, 128.88 and 128.165.
[62] See CEDAW/C/ARE/CO/2-3, paras. 25-26.
[63] Ibid., para. 26.
[64] See CERD/C/ARE/CO/18-21, para. 5.
[65] For relevant recommendations, see A/HRC/23/13, paras. 128.51, 128.67-128.68, 128.79-128.80, 128.83 and 128.98.
[66] See CERD/C/ARE/CO/18-21, para. 17.
[67] See CEDAW/C/ARE/CO/2-3, paras. 39-40.
[68] See CRPD/C/ARE/CO/1, paras. 49-50.
[69] For relevant recommendations, see A/HRC/23/13, paras. 128.99 and 128.163.
[70] See CEDAW/C/ARE/CO/2-3, paras. 41-42.
[71] See CRC/C/ARE/CO/2, paras. 57-58.
[72] See CEDAW/C/ARE/CO/2-3, paras. 41-42.
[73] See CRC/C/ARE/CO/2, paras. 57-58.
[74] For relevant recommendations, see A/HRC/23/13, paras. 128.100 and 128.170.
[75] See CEDAW/C/ARE/CO/2-3, paras. 37-38.
[76] See UNESCO submission, para. 15.
[77] Ibid., p. 5, recommendation 2.
[78] See CRC/C/ARE/CO/2, paras. 60-61.
[79] For relevant recommendations, see A/HRC/23/13, paras. 128.79-128.80, 128.82, 128.85-128.87, 128.89-128.91, 128.93-128.98 and 128.101-128.102.
[80] OHCHR submission, p. 4.
[81] See A/HRC/23/13, para. 128.85 (Chile), and A/HRC/23/13/Add.1, para. 5 (a).
[82] See CEDAW/C/ARE/CO/2-3, paras. 13-14. See also CRC/C/ARE/CO/2, paras. 23-24, and CRPD/C/ARE/CO/1, paras. 13-14.
[83] See CEDAW/C/ARE/CO/2-3, paras. 45-46.
[84] See CRPD/C/ARE/CO/1, paras. 23-24.
[85] See CEDAW/C/ARE/CO/2-3, paras. 35-36. See also CERD/C/ARE/CO/18-21, paras. 29-30.
[86] See CEDAW/C/ARE/CO/2-3, paras. 35-36.
[87] Ibid., para. 47.
[88] See A/HRC/23/13, para. 128.92, and A/HRC/23/13/Add.1, para. 5 (c).
[89] See CEDAW/C/ARE/CO/2-3, para. 27.
[90] See CRC/C/ARE/CO/2, paras. 37-38.
[91] See CEDAW/C/ARE/CO/2-3, paras. 27-28, and CRC/C/ARE/CO/2, para. 38.
[92] See CEDAW/C/ARE/CO/2-3, paras. 29-30.
[93] Ibid., para. 15.
[94] Ibid., para. 15.
[95] See A/HRC/29/26/Add.2, para. 119.
[96] See CEDAW/C/ARE/CO/2-3, paras. 33-34.
[97] See A/HRC/29/26/Add.2, para. 120.
[98] See CEDAW/C/ARE/CO/2-3, paras. 21-22.
[99] For relevant recommendations, see A/HRC/23/13, paras. 128.127, 128.133 and 128.165-128.167.
[100] See CRC/C/ARE/CO/2, paras. 23-24.
[101] Ibid., para. 19.
[102] Ibid., para. 25.

[100] Ibid., para. 43.
[101] Ibid., para. 37 (d).
[102] Ibid., para. 38 (b).
[103] Ibid., para. 66.
[104] Ibid., para. 71 (b).
[105] Ibid., para. 71 (a).
[106] For relevant recommendations, see A/HRC/23/13, paras. 128.48, 128.155–128.156 and 128.177.
[107] See CRPD/C/ARE/CO/1, paras. 7-8.
[108] Ibid., paras. 11-12.
[109] Ibid., para. 19.
[110] Ibid., paras. 23-24.
[111] Ibid., para. 49.
[112] Ibid., para. 46 (a).
[113] Ibid., paras. 29-30.
[114] For relevant recommendations, see A/HRC/23/13, paras. 128.51-128.56, 128.58-128.62, 128.64, 128.66 and 128.69.
[115] See www.ilo.org/dyn/normlex/en/f?p=1000:11100:0::NO:11100:P11100_COMMENT_ID:3255365:YES.
[116] See CERD/C/ARE/CO/18-21, paras. 19 (a)-(c).
[117] Ibid., paras. 19-20.
[118] Ibid., para. 21.
[119] Ibid., paras. 23-24.
[120] ORCHR submission, p. 3.
[121] See www.ilo.org/dyn/normlex/en/f?p=1000:11100:0::NO:11100:P11100_COMMENT_ID:3292702:YES.
[122] See CERD/C/ARE/CO/18-21, paras. 25-26.
[123] See CEDAW/C/ARE/CO/2-3, paras. 41-42.
[124] See www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21463&LangID=E. See also CEDAW/C/ARE/CO/2-3, para. 43.
[125] See www.unhcr.org/protection/conferences/3d1b0f96/sharjah-principles.html.
[126] See CRC/C/ARE/CO/2, paras. 62-63.
[127] For the relevant recommendations, see A/HRC/23/13, para. 128.73.
[128] See CEDAW/C/ARE/CO/2-3, paras. 35-36.
[129] See CRC/C/ARE/CO/2, paras. 33 and 35-36.
[130] See CERD/C/ARE/CO/18-21, para. 28.
[131] See CEDAW/C/ARE/CO/2-3, paras. 35-36.
[132] See CRC/C/ARE/CO/2, para. 34.
[133] Ibid., para. 35.

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Summary of Stakeholders' submissions on the United Arab Emirates*

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 19 stakeholders' submissions to the universal periodic review, presented in a summarized manner owing to word-limit constraints.

II. Information provided by stakeholders

A. Scope of international obligations and cooperation with international human rights mechanisms and bodies

2. Treatment Action Group (TAG) indicated that, despite several recommendations under the 2008 and 2013 UPR reviews (128.75, 128.109, and 128.111), the United Arab Emirates (UAE) had not acceded to ICESCR nor ICCPR.

3. A number of submissions recommended the ratification of ICCPR, ICCPR-OP1, ICCPR-OP2, ICESCR, CAT, CAT-OP, CED, ICPPED and ICRMW.[3] Joint Submission 2 (JS2) recommended the immediate ratification of ICCPR with minimal reservations.[4]

4. Organization for Defending Victims of Violence (ODVV) recommended the ratification of the 1951 Convention relating to the Status of Refugees and its 1967 Protocol.[5] Institute on Statelessness and Inclusion (ISI) recommended the accession and

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full implementation of the 1954 and 1961 Statelessness Conventions.[11] Human Rights Watch (HRW) recommended the ratification of the ILO Domestic Workers Convention and aligning national laws to the treaty.[12]

5. Access Now (AccessNow) and JS2 recommended extending a standing invitation to the special procedures.[13]

6. AccessNow recommended improving cooperation with the United Nations human rights treaty bodies.[14] Alkarama Foundation (Alkarama) recommended submitting the overdue report to the Committee against Torture.[15]

7. International Centre for Justice and Human Rights (ICJHR) recommended the withdrawal of reservations on Articles 20 and 30 of CAT.[16] ISI and Global Campaign for Equal Nationality Rights (GCENR) recommended removing reservations to CEDAW, in particular Article 9.[17]

B. National human rights framework[18]

8. Alkarama stated that, despite the commitment to establish a National Human Rights Institution (NHRI) in accordance with the Paris Principles, no such body had been put into place to date.[19] ICJHR recommended establishing an NHRI in accordance with the Paris Principles with its mandate to monitor and examine allegations of human rights violations.[20] Arab Federation for Human Rights (AFHR) and Joint Submission 1 (JS1) recommended the establishment of an independent NHRI with a focus on women's rights and gender equality.[21]

9. Alkarama noted the establishment of a consultative Human Rights Committee within the Federal National Council. This permanent parliamentary Committee was mandated, *inter alia*, with giving its opinion on the compliance of draft laws with the Constitution, national legislation and international obligations of the UAE. However, Alkarama indicated that it either lacked independence or could easily be discarded, given its mere consultative nature.[22]

10. Alkarama stated that the human rights department within the Ministry of Interior was concerned with including human rights programmes in the curricula of police institutes and monitoring its compliance with human rights regulations as well as receiving complaints related to human rights violations. However, there was very little information on the activity of the department and its capacity to independently and effectively investigate human rights complaints.[23]

C. Implementation of international human rights obligations, taking into account applicable international humanitarian law

1. Cross-cutting issues

Equality and non-discrimination[24]

11. Americans for Democracy and Human Rights in Bahrain (ADHRB) stated that many of the provisions in Federal Law No. 2 of 2015, known informally as the anti-discrimination law, were vaguely worded and could be used to target free expression. Article 6, for example, allowed for a prison sentence of up to five years for anyone "who commits any act of discrimination of any form by any means of expression or by any other means." Furthermore, the law failed to protect individuals from discrimination on the basis of gender or sexual orientation.[25]

12. HRW stated that Article 356 of the Penal Code criminalizing "indecency" was used by courts to convict and sentence people for "moral" offenses, including same-sex relations. Furthermore, different emirates within the UAE had laws that criminalized same-sex sexual relations, including Abu Dhabi where "unnatural sex with another person" could be punished with up to 14 years in prison, and Dubai, which imposed 10 years of imprisonment for sodomy. The UAE rejected recommendations it received in 2012 to de-criminalize consensual same-sex marriage.[58]

Development, the environment, and business and human rights[59]

13. ODVV expressed concern about the construction work in the UEA to create man-made islands. According to ODVV, it did not pay sufficient attention to the protection of bio-diversity. The most disastrous environmental impacts included threat to the security of migrating birds, destruction of live coral cover, change of natural water flow and destruction of natural seabed.[60]

Human rights and counter-terrorism[61]

14. ADHRB indicated that the UAE had received recommendation 128.150[62] and 128.157[63] to cooperate with the United Nations in order to ensure that counterterror efforts respect human rights and fundamental freedoms, including by allowing a visit by the Special Rapporteur on the promotion and protection of human rights while countering terrorism. However, the UAE had not invited the Special Rapporteur, despite his outstanding requests.[64]

15. HRW, Front Line Defenders (FLD), ICJHR and JS2 expressed serious concern about Federal Law No.7 of 2014 on Combating Terrorism Crimes.[65] HRW stated that the law provided for the death penalty for people whose activities were found to "undermine national unity or social peace," neither of which were defined in the law.[66] JS2 made similar observations.[67] FLD stated that the law provided to the authorities with broad powers to prosecute peaceful critics, political dissidents and human rights defenders and declare them terrorists.[68] Alkarama noted that the law provided an extremely broad and vague definition of terrorism[69] and, under this law, the custody period could be extended by renewable three-month periods without the detainee having to be brought before a judge.[70]

16. Alkarama furthermore stated that the law prescribed for the detention of individuals in Munasaha Centres. The transfer of individuals was initiated by a judgment issued by the Court and upon a request of the prosecution, yet basing the detention on an administrative decision by the authorities as opposed to a judicial decision, and thus denying individuals the right to challenge the legality of detention.[71]

2. Civil and political rights

Right to life, liberty and security of person[72]

17. ADHRB stated that the UAE had rejected eight recommendations to abolish or institute a moratorium on the death penalty. It had carried out the execution of one prisoner in 2014 and another in 2015, and the courts had continued to issue death sentences.[73]

18. Reprieve noted that the UAE had not complied with the recommendation to reduce the number of crimes where the death penalty could be imposed.[74] The UAE retained the death penalty for non-violent drug offences under Federal Law No.14 on the Control of Narcotic and Psychotropic Substances of 1995. In 2016, amendment to the law had created a new offence that carried the death penalty.[75]

19. ADHRB indicated that, though the UAE had not accepted its numerous second-cycle recommendations to abolish the death penalty, a provision in the anti-terror law (Federal Law No.7 of 2014) prevented the UAE from making progress on recommendation

128.130[45] to "reduce the number of crimes where the death penalty can be imposed," which the government supported.[47] Reprieve also indicated that the anti-terror law created several new offences that carried the death penalty. The law also allowed for the death penalty to be handed down for offences proscribed in the Penal Code when committed with "terrorist intent."[48]

20. Alkarama noted that, in December 2016, Law No. 7 of 2016 amending the Penal Code was passed, expanding the application of the death penalty to more than 16 articles.[49] According to Alkarama, the new law provided the death penalty for a wide array of crimes and failed to comply with the international norm of applying the death penalty only for the most "serious crimes".[50] Alkarama furthermore stated that the new law also called for the application of the death penalty or life in prison with regard to the establishment or the participation in certain organisations, which violated the right to life, while simultaneously restricting the right of freedom of assembly and association.[51] JS2 expressed similar concern.[52]

21. According to HRW, the UAE arbitrarily detained, and in some cases, forcibly disappeared, individuals, who criticized the authorities, and its security forces faced allegations of torturing detainees both in the UAE and in Yemen. The UAE accepted just two recommendations related to the issue of torture during its 2012 UPR, but noted those proposing a standing invitation to the Special Rapporteur on Torture, or calling for ratification of OP-CAT.[53]

22. HRW continued that the UAE was a member of the coalition that had conducted aerial and ground operations in Yemen since March 2015. The UAE also ran at least two informal detention facilities, and its officials appeared to have ordered the continued detention of people despite release orders, and forcibly disappeared people, including reportedly moving high-profile detainees outside Yemen.[54] Reprieve also noted very serious allegations about the torture and ill treatment of individuals arbitrarily detained in such centres. According to Reprieve, the UAE had also been implicated in the alleged rendition of individuals from Yemen to other country.[55]

23. ADHRB stated that the UAE had accepted 128.131[56] and 128.132[57] to end torture and improve accountability, but it had failed to fully implement either of them.[58]

24. Alkarama stated that, since the last UPR, and despite the UAE's accession to CAT, torture had still not been eradicated. Indeed, in 2013, in the aftermath of the "UAE 94" trial, numerous consistent allegations of torture in detention had emerged.[59] HRW raised similar concern.[60] Reprieve was particularly concerned with the use of torture by the police to obtain confessions later relied upon at trial to secure death sentences.[61] Alkarama raised similar concern.[62]

25. Reprieve indicated that there was no separate act that dealt exclusively with torture and ill-treatment. The UAE had not incorporated CAT's definition of torture in its domestic legislation, nor had it defined acts of physical or psychological torture. Further, there were no clearly defined sanctions against perpetrators of torture.[63] There were no publicly available statistics on the number of complaints lodged against State agents for acts of torture, the number of investigations carried out, nor the number of criminal proceedings initiated against perpetrators.[64]

26. International Campaign for Freedom in the UAE (ICFUAE) expressed concern about conditions of detention at Al-Rezin prison. It noted raids by prison guards in March 2017, when they had stormed the cells of prisoners held in ward no. 7, a section holding prisoners of conscience. According to ICFUAE, the prison authorities had instructed guards to conduct an unannounced strip search of prisoners.[65]

27. Alkarama stated that State Security Forces, which were under the direct control of the Ministry of Interior and operated without judicial oversight, continued to arrest lawyers, professors, human rights defenders and anyone critical of the Government, without a

warrant or informing the individuals of the reason for their arrest.[64] Alkarama noted that, upon arrest, the victims were brought to an unknown location and kept for extended periods of time in secret detention. Moreover, individuals were subjected to physical and psychological torture in order to obtain a self-incriminating statement, which would consequently be used as evidence during proceedings.[65]

28. ICFUAE stated that family members of prisoners had been subject to harassment, threats, and even arrest. Families had reported travel bans, arbitrary arrests, detentions and prosecutions, refused security clearance for employment or denied access to higher education. There had also been reports of prisoners' families' bank accounts being frozen. In a few cases, detainees' relatives had been deported or stripped of their citizenship.[66] ICJHR expressed similar concern.[67]

Administration of justice, including impunity, and the rule of law[68]

29. According to Reprieve, in October 2016, Law No.14 of 1995 was amended by Law No.8 of 2016, and Article 65 (3) gave the Federal Court in Abu Dhabi exclusive jurisdiction to hear cases where the defendant faced the death penalty for drug offences. Consequently, the Prosecution services had been transferring pre-trial detainees facing the death penalty for drug offences from various emirates to Abu Dhabi, which resulted in excessive pre-trial detention while prisoners waited for their case to be transferred to the federal jurisdiction.[69]

30. FLD stated that the rights to a fair trial and due process of human rights defenders had been widely violated. The authorities had regularly detained them in secret locations, in incommunicado detention and solitary confinement, without access to their lawyers or families. Moreover, lawyers were often intimidated out of representing human rights defenders.[70]

31. Reprieve noted numerous capital trials where due process and fair trials rights had not been strictly adhered to. Failure to do so in cases involving the death penalty would render any death sentence unlawful, and any execution in violation of the right to life.[71]

32. Reprieve was particularly concerned with access to court-appointed lawyers and the provision of legal aid in capital trials. According to the survey conducted by Retrieve, prisoners explained that, although they had been informed that a lawyer had been appointed, they never met any such lawyer. In other instances, proceedings were repeatedly stalled or delayed because the courts had been unable to find lawyers. In other cases, court appointed lawyers had withdrawn.[72]

33. ICFUAE noted the "UAE94" case, which remained the biggest case of mass trial of activists, academics, lawyers, and peaceful dissenters. The trial, which had concluded in July 2013, convicted 69 of the defendants, including eight of whom had been tried *in absentia*. They were sentenced to between seven to 15 years in prison in a trial that had failed to meet the international standards for a fair trial. Several violations had been found to have taken place during the arrest, interrogations, detention, and trial of the defendants. These included being kept up to one year in incommunicado detention, the lack of legal representation, the alleged use of torture and forced confessions, and the denial to appeal.[73] Alkarama expressed similar concern.[74]

Fundamental freedoms[75]

34. ADF International indicated that the Constitution provided for the guarantee of freedom of religion, but that it also provided that Islam was the State religion and that all citizens of the country were Muslims by definition. Religious freedom and practice was restricted where its exercise might negatively impact Islam. Non-Muslims were able to worship relatively freely, but sharing one's faith openly and publicly with Muslim citizens was prohibited.[76]

35. JS2 indicated that the UAE had not taken effective measures to implement recommendations relating to freedom of expression and access to information.[77] ADHRB stated that recommendation 128.111 to "enhance implementation of the constitutional provisions on freedom of expression"[78] had not been implemented, as the constitutional protections for freedom of expression, provided by Article 30, had been directly undermined by other legislation.[79]

36. FLD noted that the UAE had accepted a recommendation made by Austria concerning the protection of human rights defenders and journalists[80] and another recommendation made by Belgium on respecting freedom of expression and association[81], however, FLD expressed its deep regrets that, in the years since, the persecution of human rights defenders had continued systematically.[82]

37. Alkarama stated that numerous peaceful activists had been prosecuted for "criticising" the Government on social media and that the authorities continued to detain prisoners of conscience convicted after unfair trials.[83] ICJHR stated that Law No. 7 of 2016 amending the Penal Code endangered the right to freedom of expression. Some articles could be used as a pretext to detain human rights defenders and restrict their freedom.[84] Alkarama expressed similar concern.[85] According to ICJHR, there were approximately 200 prisoners of conscience in the UAE.[86]

38. ADHRB stated that the UAE had not implemented UPR 2nd cycle recommendations to either repeal the 1980 Press and Publications Law or amend it to protect free expression, including 128.106[87,88] Alkarama expressed similar concern.[89] JS2 stated that restrictions on free speech imposed by the Press and Publications Law increased under Federal Law No. 5 of 2012 on Combating Cybercrimes.[90]

39. Alkarama and FLD stated the accused persons in the case of "UAE94" had been imprisoned solely for peacefully exercising their fundamental right to freedom of expression, including online.[91]

40. ADHRB indicated that the UAE had not accepted recommendations to reform the cybercrime law, including 128.112[92] and 128.108[93] and failed to take any steps to bring the law in line with international standards. While the cybercrime law included provisions that purportedly sought to curb the spread of extremist content on the internet, it also gave the Government wide authority to monitor online communications and prosecute users for expressing dissident views.[94] Alkarama also noted that the cybercrime law, which criminalised defamation and provided for harsh prison sentences, was increasingly used to crackdown on peaceful dissent.[95] ICJHR stated that its vaguely worded provisions provided a legal basis to prosecute and jail people who used information technology to criticize senior officials, argue for political reform, or organize unlicensed demonstrations.[96] FLD and ICEUAE made similar observations.[97]

41. ICFUAE expressed concern about a lack of legal framework that regulated and monitored the use of surveillance technology. According to ICFUAE, the cybercrime law contained regulations for non-state actors, but regulation of government interception and collection of citizens' data was merely non-existent.[98]

42. ADHRB also stated that the application of the cybercrime law directly contravened recommendations 128.105[99] and 128.117[100], which called on the UAE to facilitate the work of human rights defenders and prevent the harassment of activists and journalists.[101]

43. ICJHR noted that, in March 2017, Ministerial Resolution No. 220 of 2017 had established a Federal Public Prosecution specialized in information technology crimes.[102] JS2 indicated that the Telecommunications Regulatory Authority was empowered to block websites that promoted terrorism, pornography and crime. However, the authority used the designation of "crime" to unwarrantedly block websites that carried content that was critical of the State or called for political reform.[103] FLD stated that the authorities used

sophisticated spyware and surveillance equipment to monitor human rights defenders and removed information from their computers.[104]

44. FLD continued that the ongoing political and diplomatic tension between the UAE and a neighbouring country had resulted in reinforced restrictions on freedom of expression and self-censorship among bloggers and journalists in the UAE. According to FLD, in June 2017, the UAE had announced that any speech critical of the government's measures against this neighbouring country would be prosecuted as crimes.[105] ICFUAE indicated that restrictions on the right to work, education, travel, and freedom of expression had affected at least 13,300 people. Families had been separated as a result of the blockade as nationals of this neighbouring country were asked to leave the UAE.[106]

45. JS2 stated that the Constitution guaranteed the right to freedom of assembly "within the limits of the law". However, in practice, almost all protests were banned.[107]

46. JS2 reported that the UAE had not implemented any of the recommendations on freedom of association.[108] In the UAE, unionization of workers was illegal[109], and participation in civil society organisations (CSOs) was limited to Emirati citizens as prescribed by Federal Law No. 6 of 1974 concerning Public Utility Associations. All founding and active members of CSOs should be holders of the nationality of the UAE.[110]

47. JS2 noted that, under the labour law, strikes might amount to criminal behaviour. Those participating in strikes faced suspension from work. In the case of foreign workers, striking carried the risk of deportation.[111]

48. FLD indicated that Federal Law No. 2 of 2008 on National Societies and Associations of Public Welfare granted the Government broad discretionary powers to deny the registration of new NGOs and dissolve established organisations or their boards of directors on vaguely defined grounds.[112]

Prohibition of all forms of slavery[113]

49. Global Detention Project (GDP) stated that all forms of human trafficking were forbidden under Federal Law no. 51 of 2006, however, that the law did not include protection from detention for victims of trafficking.[114] GDP recommended that the UEA ensure that trafficked persons are not criminalized and placed in immigration detention.[115] AFHR stated that there was a need to further create a balance between prevention, prosecution and protection and to consider the human rights of trafficked persons at the centre of any anti-trafficking measures and policies adopted.[116]

Right to privacy and family life[117]

50. AccessNow stated that the cybercrime law of 2012 contained overbroad language criminalizing legitimate expression. Likewise, the 2016 amendments to the law appeared to target technologies essential to the exercise of human rights online, including virtual private networks.[118] The law failed to meet international standards for the protection of the right to freedom of expression and had been used to harshly imprison internet users for protected expression, including peaceful and private conversations.[119]

3. Economic, social and cultural rights

Right to work and to just and favourable conditions of work[120]

51. AFHR stated that the limited number of field inspectors presented a challenge to ensure full compliance with labour laws. The number of inspectors employed by the Ministry of Labour to carry out field inspections was 367 whereas the number of establishments registered with the Ministry was more than 314,440, with more than four million employees.[121]

4. Rights of specific persons or groups

Women[122]

52. HRW stated that discrimination on the basis of sex and gender was not included in the definition of discrimination in the 2015 anti-discrimination law, despite accepting, during its 2012 UPR, to "Fully incorporate in the Constitution or other national legislation the principle of equality between men and women".[123]

53. GCENR stated that the nationality law discriminated on the basis of gender with regard to the conferral of nationality on non-national spouses. Article 3 enshrined the right of Emirati men to confer nationality on foreign spouses, however, the same right was denied to Emirati women.[124]

54. According to HRW, Federal Law No. 28 of 2005 regulated matters of personal status, and some of its provisions discriminated against women. For instance, the law provided that, for a woman to marry, her male guardian must conclude her marriage contract; men had the right to unilaterally divorce their wives, whereas a woman who wished to divorce her husband must apply for a court order; a woman could lose her right to maintenance if, for example, she refused to have sexual relations with her husband without a lawful excuse; and women were required to "obey" their husbands. A woman might be considered disobedient, with few exceptions, if she decided to work without her husband's consent.[125]

55. HRW continued that Article 53 of the Penal Code allowed the imposition of "chastisement by a husband to his wife and the chastisement of minor children" so long as the assault did not exceed the limits prescribed by Sharia, or Islamic law. Marital rape was not a crime.[126] Furthermore, in 2010, the Federal Supreme Court issued a ruling—citing the Penal Code—that sanctioned husbands' beating and inflicting other forms of punishment or coercion on their wives, provided they did not leave physical marks.[127]

56. According to HRW, Article 356 of the Penal Code criminalizing (but not defining) "indecency" provided for a minimum sentence of one year in prison. In practice, UAE courts used this article to convict and sentence people for *zina* offenses, which included consensual sexual relations outside heterosexual marriage.[128]

57. AI HR and JS1 recommended ensuring that adequate support for physical and psychological recovery as well as reparation is provided to women victims of violence.[129]

Children[130]

58. Global Initiative to End All Corporal Punishment of Children (GIEACPC) stated that corporal punishment of children was lawful, despite repeated recommendations to prohibit it by the Committee on the Rights of the Child and the Committee on the Rights of Persons with Disabilities, as well as those made during the 2nd cycle UPR. According to GIEACPC, the UAE had rejected UPR recommendations to prohibit all corporal punishment.[131]

59. GIEACPC continued that corporal punishment of children was unlawful in schools and penal institutions. However, it was lawful in all other settings, including in the home and as a sentence for a crime. GIEACPC noted the enactment of a Law on the Rights of the Child (law "Wadeema") since the last UPR in 2013, however, believed that there were no indications to explicitly prohibit corporal punishment in all settings.[132]

60. Child Rights International Network (CRIN) noted that there was no provision for corporal punishment as a sentence of the courts in the Penal Code, the Juvenile Delinquents and Vagrants Act or other criminal law. However, child offenders might be subject to corporal punishment under *Shari'a* law. Punishments included flogging, amputation, and –

as retaliation – injury similar to that for which the offender had been convicted of inflicting on the victim.[133]

61. CRIN stated that, under the Juvenile Delinquents and Vagrants Act, a juvenile might not be condemned to death, imprisonment or to financial penalties. Under this law, where the penalty would otherwise be death, a juvenile might not be sentenced to more than detention for 10 years. However, the Penal Code and other criminal laws did not apply to *hadd* or *qisas* offences, punishments for which included death. The Sharia Courts Act provided for Shari'a courts to try cases concerning crimes allegedly committed by juveniles and indicated that Shari'a punishments shall apply.[134]

62. CRIN recommended that the UAE raise the minimum age of criminal responsibility.[135]

Migrants, refugees, asylum seekers and internally displaced persons[136]

63. GDP stated that foreign workers entered the UAE through the *kafala* sponsorship scheme, which tied their visas to their employers. Among them, it was particularly the low-wage workers employed in certain industries—such as construction, services, and domestic work—who were most susceptible to exploitation under the *kafala* scheme.[137]

64. HRW stated that, despite labour reforms, the large migrant worker population remained acutely vulnerable to forced labour.[138] In 2016, a Labour Ministry decree outlining the rules for terminating employment and granting work permits to new employees took effect, which should theoretically make it easier for workers to change employers before their contract ended in case of violations of their rights. These reforms, however, did not apply to domestic workers.[139]

65. GDP stated that domestic workers were not covered in labour laws. For example, Article 3 of Law No. 8 of 1980 specifically exempted "domestic workers working in private residences". As they worked in the private household, they were particularly vulnerable to abusive work conditions and exploitation.[140]

66. According to HRW, at least 146,000 female migrant domestic workers were in the UAE for cleaning, cooking, and caring for families. HRW documented a range of abuses against domestic workers, including unpaid wages, confinement to the house, workdays of up to 21 hours with no rest breaks and no days off, and in some cases, employers physically or sexually assaulting them. Domestic workers faced legal and practical obstacles to redress, and many returned home without justice.[141]

67. HRW noted some reforms to increase domestic worker protection. By the end of 2017, domestic workers were to move from the Ministry of Interior's jurisdiction to the Ministry of Human Resources and Emiratisation, which oversaw all other workers. However, HRW indicated that, while this was an important move, it had not resulted in domestic workers benefiting from labour law protections. In 2017, the UAE also adopted a new law that would strengthen the protection of domestic workers, including granting them a weekly rest day and paid leave, but these protection measures remained weaker than those in the labour law.[142]

68. AFHR indicated that the UAE needed to accelerate the passing of the new legislation on domestic workers and to ensure the implementation of the law in full compliance by recruitment agencies and employers.[143] HRW stated that strong regulation, inspections, and enforcement of penalties were critical to ensuring that recruitment agencies and employers were held accountable and made to follow the law.[144]

69. GDP noted that migrants and refugees could remain in detention from a month to more than a year. International human rights organisations did not have access to facilities used to detain people for immigration-related reasons.[145]

70. According to GDP, there were at least seven facilities used for immigration-related detention, and except for one of them, all the others appeared to combine criminal incarceration with immigration functions. Furthermore, one of them, the Dubai Central Jail for Women detained children alongside their mothers.[146]

71. HRW stated that migrant workers had no right to organize or bargain collectively, and they faced penalties for going on strike.[147]

72. According to TAG, Cabinet Decree No. 7 of 2008 established that migrants seeking employment, i.e. residence permit, must undergo mandatory medical exams to detect infectious diseases including HIV/AIDS, TB, and hepatitis. Migrants found to be living with HIV were declared medically unfit to work and immediately deported.[148] TAG also indicated that, in January 2016, Decree No. 5 of 2016 had amended the existing regulations, according to which migrants seeking annual renewal of their residence permit equally had to undergo medical exams.[149]

73. TAG recommended that the UAE protect migrants' right to information and never delay diagnosis or withhold any medical information. Migrants must be able to directly receive comprehensive information and counselling on their health status. Migrants must have access to and be provided with copies of all results from the medical exams they underwent in the UAE.[150]

74. TAG also recommended that the UAE's medical examination must protect migrants' right to privacy and end the practice of directly informing migrants' employers while cutting migrants out of the flow of information regarding their own health. The UAE should end the practice whereby only representatives of a migrant's employer may receive medical exam results.[151]

Stateless persons[152]

75. Alkarama noted a regularization campaign conducted in 2008-2009, which promised naturalization for Bidoons. However, according to Alkarama, the process merely resulted in the issuance of statelessness registration cards.[153]

76. GCENR stated that the Emirati nationality law did not have a provision to grant its nationality to a child born on its territory if s/he would otherwise be stateless.[154]

77. GCENR stated that Emirati women's children and spouses, who were denied Emirati nationality, might not be able to own property and have access to health and social services. Such children might have difficulties with regard to access to education at schools and universities. They might be denied their freedom of movement, which might also lead to their deportation, despite there being no country of nationality to deport them to.[155]

78. HRW noted that authorities had also used citizenship revocation as a tool to punish peaceful dissidents and critics.[156] ISI stated that, despite the regulations for prohibition of arbitrary deprivation of nationality in the Constitution and the nationality law, the UAE's authorities had been arbitrarily depriving Emirati citizens of their nationality with increasing frequency. This practice was regulated through a decree issued by the President.[157]

79. According to ISI, procedures stipulated that after being signed by the President, the decree should be published in the Official Gazette, as stated in Article 114 of the Constitution. Despite this, the authorities had not published the Decree in the Gazette, and had so far prevented those who had been arbitrarily deprived of their nationality from seeing the Decree. The practice of citizenship revocation started with the trial of the accused in the "UAE 94" case.[158] In addition to being arbitrary, this practice was also indiscriminate, with some reports of entire families having had their nationality stripped off them, in retaliation to the political views of the husband/father.[159]

Notes

[1] The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: www.ohchr.org.

Civil society

Individual submissions:

AccessNow	Access Now, New York (United States of America).
ADF International	ADF International, Geneva (Switzerland).
ADHRB	Americans for Democracy and Human Rights in Bahrain, Washington D.C. (United States of America).
Alkarama	Alkarama Foundation, Geneva (Switzerland).
AFHR	Arab Federation for Human Rights, Geneva (Switzerland).
CRIN	Child Rights International Network, London (United Kingdom of Great Britain and Northern Ireland).
FLD	Front Line Defenders - The International Foundation for the Protection of Human Rights Defenders, Dublin (Ireland).
GCENR	Global Campaign for Equal Nationality Rights, New York (United States of America).
GDP	Global Detention Project, Geneva (Switzerland).
GIEACPC	Global Initiative to End All Corporal Punishment of Children, London (United Kingdom of Great Britain and Northern Ireland).
HRW	Human Rights Watch, Geneva (Switzerland).
ICFUAE	International Campaign for Freedom in the UAE, London (United Kingdom of Great Britain and Northern Ireland).
ICJHR	International Centre for Justice and Human Rights, Geneva (Switzerland).
ISI	Institute on Statelessness and Inclusion, Eindhoven, Netherlands.
ODVV	Organization for Defending Victim of Violence, Tehran, Iran (Islamic Republic of).
Reprieve	Reprieve, London (United Kingdom of Great Britain and Northern Ireland).
TAG	Treatment Action Group, New York (United States of America).

Joint submissions:

JS1	**Joint submission 1 submitted by**: The Gulf Association for Rights and Freedoms and The Arab Institute for Human Rights in UK, London (United Kingdom of Great Britain and Northern Ireland).
JS2	**Joint submission 2 submitted by**: CIVICUS: World Alliance for Citizen Participation, Johannesburg (South Africa); Gulf Centre for Human Rights and the International Service for Human Rights, Geneva (Switzerland).

[2] The following abbreviations are used in UPR documents:

ICESCR	International Covenant on Economic, Social and Cultural Rights.
ICCPR	International Covenant on Civil and Political Rights.
ICCPR-OP 1	Optional Protocol to ICCPR.
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty.
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women.
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.
OP-CAT	Optional Protocol to CAT.
CRC	Convention on the Rights of the Child.
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in

armed conflict

ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

[1] For relevant recommendations, see A/HRC/23/14, paras. 128.1-128.25, 128.32-128.39, and 128.120-128.126, 128.146-128.149, 128.159 and 128.154.

[2] A/HRC/23/13, para. 128.7 (Australia). For the position of the United Arab Emirates, see A/HRC/23/13/Add.1.

[3] A/HRC/23/13, para. 128.10 (Finland). For the position of the United Arab Emirates, see A/HRC/23/13/Add.1.

[4] A/HRC/23/13, para. 128.11 (Netherlands). For the position of the United Arab Emirates, see A/HRC/23/13/Add.1.

[5] TAG, para. 6.

[6] SuomiNow, para. 22.c. / ADHRB, para. 31. / Alkarama, para. 7.a). / FLD, recommendation 8). / HRW, p. 5. / ICFUAE, para. 6.10. / ICJHR, recommendations 8 and 9. / ISI, para. 27a. / ODVV, para. 41. Reprieve, pp. 7-8. / TAG, paras. 51A and 51B.

[7] JS2, p. 13.

[8] ODVV, para. 32.

[9] ISI, para. 27a.

[10] HRW, p. 2.

[11] SuomiNow, para.1. / JS2, p. 16.

[12] SuomiNow, para.8.

[13] Alkarama, para. 18. a).

[14] ICJHR, recommendation 9.

[15] ISI, para. 27c. / GCFUAE, para. 16a.

[16] For relevant recommendations, see A/HRC/23/13, paras. 128.41-128.50.

[17] Alkarama, para. 47.

[18] ICJHR, recommendation number 11.

[19] ADHRB, para. 12. / JS3, p. 3.

[20] Alkarama, para. 48.

[21] Alkarama, par. 49.

[22] For relevant recommendations, see A/HRC/23/13, paras. 128.70-128.72 and 128.135-128.136.

[23] ADHRB, para. 29.

[24] HRW, p. 5.

[25] For relevant recommendations, see A/HRC/23/13, paras. 128.158-128.161.

[26] ODVV, para. 19c)d).

[27] For relevant recommendations, see A/HRC/23/13, paras. 128.157.

[28] A/HRC/23/13, para. 128.139(Mexico). For the position of the United Arab Emirates, see A/HRC/23/13/Add.1.

[29] A/HRC/23/13, para. 128.157(Mexico). For the position of the United Arab Emirates, see A/HRC/23/13/Add.1.

[30] ADHRB, para. 24.

[31] FLD, para. 2. / HRW, p. 2. / ICJHR, para. 12. / JS2, para. 3.3.

[32] HRW, p. 2.

[33] JS2, para. 1.3.

[34] FLD, para. 2.

[35] Alkarama, para. 47.

[36] Alkarama, para. 48.

[37] Alkarama, para. 49.

[38] For relevant recommendations, see A/HRC/23/13, paras. 128.122-128.132.

[39] ADHRB, para. 29.

[40] Reprieve, p. 3.

[41] Reprieve, p. 3.

[42] A/HRC/23/13, para. 128.139(Hungary). For the position of the United Arab Emirates, see

[1] A/HRC/WG.6/29/ARE/1, para. 22.
[2] Report, p. 3.
[3] Statement, para. 25.
[4] Statement, para. 26.
[5] Statement, para. 27.
[6] JS2, para. 1.
[7] HRW, p. 4.
[8] HRW, p. 4.
[9] Report, p. 6.
[10] A/HRC/23/51, para. 128.111 (Denmark). For the position of the United Arab Emirates, see A/HRC/23/113/Add.1.
[11] A/HRC/23/11, para. 128.112 (Spain). For the position of the United Arab Emirates, see A/HRC/23/113/Add.1.
[12] A/HRC/WG.6/29/ARE/1, para. 27.
[13] Report, pp. 5-6.
[14] HRW, p. 3.
[15] Report, pp. 5-6.
[16] Statement, paras. 29-30.
[17] Report, p. 6.
[18] Report, p. 6.
[19] E/35/AE, para. 3.5.
[20] Statement, para. 34.
[21] Statement, para. 35.
[22] E/35/AE, para. 2.4.
[23] E/HR, para. 30.
[24] For relevant recommendations, see A/HRC/23/11, paras. 128.155-128.159, and 128.177.
[25] Report, p. 4.
[26] EI2I, para. 17.
[27] Report, p. 5.
[28] Report, p. 5.
[29] E/35/AE, para. 3.2.
[30] Statement, para. 43.
[31] For relevant recommendations, see A/HRC/23/11, paras. 128.104-128.106-128.131, 128.172, and 128.173.
[32] SDF International, para.3.
[33] JS2, para. 4.1.
[34] A/HRC/23/113, para. 128.111 (Italy). For the position of the United Arab Emirates, see A/HRC/23/113/Add.1.
[35] A/HRC/WG.6/29/ARE/1, para. 10.
[36] A/HRC/23/113, para. 128.105 (Austria). For the position of the United Arab Emirates, see A/HRC/23/113/Add.1.
[37] A/HRC/23/113, para. 128.111 (Belgium). For the position of the United Arab Emirates, see A/HRC/23/113/Add.1.
[38] EI2I, para. 1. See also HRW, pp. 2-3.
[39] Statement, para. 42.
[40] E/HR, para. 6.
[41] Statement, para. 44.
[42] E/HR, para. 14.
[43] A/HRC/23/113, para. 128.106 (United Kingdom of Great Britain and Northern Ireland). For the position of the United Arab Emirates, see A/HRC/23/113/Add.1.
[44] A/HRC/WG.6/29/ARE/1, para. 11.
[45] Statement, para. 8.
[46] JS2, para. 4.3.
[47] Statement, para. 41; EI2I, para. 8.
[48] A/HRC/23/113, para. 128.112 (Ireland).

[xxv] A/HRC/23/13, para. 128.108 (United States of America). For the position of the United Arab Emirates, see A/HRC/23/13/Add.1.
[xxvi] A/69/808, para. 14.
[xxvii] Sikaneta, para. 87.
[xxviii] ICJ08, para.9
[xxix] FI23, para. 14 ; ICF1/AE, para. 4.1
[xxx] ICF1/AE, paras. 5.1-5.2.
[xxxi] A/HRC/23/13, para. 128.109 (Namibia). For the position of the United Arab Emirates, see A/HRC/23/13/Add.1.
[xxxii] A/HRC/23/13, para. 128.117 (Italy). For the position of the United Arab Emirates, see A/HRC/23/13/Add.1.
[xxxiii] A/69/808, para. 29.
[xxxiv] ICJ08, para. 11.
[xxxv] JN2, para. 4.4.
[xxxvi] FI18, paras. 20-23.
[xxxvii] FI18, para. 7.
[xxxviii] ICF1/AE, para. 4.5.
[xxxix] JN2, para. 5.2.
[xl] JN2, para. 2.1.
[xli] JN2, para. 2.6.
[xlii] JN2, para. 2.7.
[xliii] JN2, paras. 5.4.1-5.
[xliv] FI19, para. 6.
[xlv] For relevant recommendations, see A/HRC/23/13, paras. 128.137-128.143.
[xlvi] LGF, pp. 3-6.
[xlvii] LGF, p. 5.
[xlviii] AE10R, para. 50.
[xlix] For relevant recommendations, see A/HRC/23/13, paras. 128.108, 128.112, 128.114, and 128.193-128.196.
[l] Scizzo/Sow, para. 19.
[li] Scizzo/Sow, para. 16.
[lii] For relevant recommendations, see A/HRC/23/13, paras. 128.97, 128.62, 128.67-128.69.
[liii] AE10R, para. 22.
[liv] For relevant recommendations, see A/HRC/23/13, paras. 128.74-128.75, 128.78-128.84, 128.85-128.86, 128.91, 128.93-128.95, 128.97, 128.99, and 128.101-128.102, 128.69-128.86, 128.90, 128.92, and 128.114.
[lv] HRW, p. 3.
[lvi] ACNAW, para. 13.
[lvii] HRW, p. 5.
[lviii] HRW, p. 5.
[lix] HRW, p. 5.
[lx] HRW, p. 5.
[lxi] AE10R, para. 11 ; JN2, p. 3.
[lxii] For relevant recommendations, see A/HRC/23/13, paras. 128.164-128.167.
[lxiii] GIL/ACPF, p.1 ; para. 1.3.
[lxiv] GIL/ACPF, para. 1.2 ; pp. 2.
[lxv] CRTV, para. 6.
[lxvi] CRTV, paras. 4-5.
[lxvii] CRTV, p. 3.
[lxviii] For relevant recommendations, see A/HRC/23/13, paras. 128.91-128.99.
[lxix] LGF, p. 2.
[lxx] HRW, p. 3.
[lxxi] HRW, p. 3.
[lxxii] LGF, p. 5.
[lxxiii] HRW, pp. 1-2.
[lxxiv] HRW, p. 2.

[44] A/HRC paras. 23
[45] A/HRC p. 2
[46] A/CAT pp. 3-4
[47] A/CAT p. 3
[48] A/HRC p. 3
[49] E/C.12/ paras. 11-13
[50] E/C.12/ para. 14
[51] E/C.12/ para. 7-10
[52] E/C.12/ para. 9-10
[53] E/C.12/ para. 23-33, paras. 128-35 and 138-145
[54] Maastricht para. 19
[55] A/C.3/68/ para. 32
[56] A/C.3/68/ para. 19
[57] A/HRC p. 3
[58] 29/2 para. 23
[59] 29/2 paras. 22-23
[60] 29/2 para. 24